REPORT OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

(Eighth session)

GENERAL ASSEMBLY

OFFICIAL RECORDS: FORTY-FOURTH SESSION

SUPPLEMENT No. 38 (A/44/38)

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ISSN 0255–0970

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[Original: English]

[13 February 1990]

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LETTER OF TRANSMITTAL

3 March 1989

Sir,

I have the honour to refer to article 21, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, according to which the Committee on the Elimination of Discrimination against Women, established pursuant to the Convention, "shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities".

The Committee on the Elimination of Discrimination against Women held its eighth session from 20 February to 3 March 1989. It adopted the report of that session at its 150th meeting, held on 3 March 1989. The report is herewith submitted to you for transmission to the General Assembly at its forty-fourth session.

Accept, Sir, the assurances of my highest consideration.

(Signed) Elizabeth EVATT
Chairperson of the
Committee on the Elimination of
Discrimination against Women

His Excellency
Mr. Javier Pérez de Cuéllar
Secretary-General of the United Nations
New York

I. INTRODUCTION

A. States parties to the Convention

1. On 3 March 1989, the closing date of the eighth session of the Committee on the Elimination of Discrimination against Women, there were 96 States parties to the Convention on the Elimination of All Forms of Discrimination against Women, which was adopted by the General Assembly in its resolution 34/180 of 18 December 1979 and opened for signature, ratification and accession in New York on 1 March 1980. In accordance with article 27, the Convention entered into force on 3 September 1981.

2. A list of States parties to the Convention is contained in annex I to the present report.

B. Session of the Committee

3. The Committee on the Elimination of Discrimination against Women held its eighth session from 20 February to 3 March 1989 at the United Nations Office at Vienna. The Committee held 19 (132nd to 150th) meetings.

4. The eighth session of the Committee was opened by the Chairperson of the seventh session, Ms. Désirée Bernard (Guyana), who welcomed the members. In her welcoming address, the Director-General of the United Nations Office at Vienna noted that the year 1989 marked the tenth anniversary of the adoption of the Convention by the General Assembly. The Convention was a milestone in international law. With the latest ratification bringing the number of States parties to 96, two thirds of the States Members of the United Nations had become parties to the Convention. The advancement towards legal equality as represented by the Convention was the main area of progress towards the achievement of the goal of overall equality by the year 2000. She said that the harder task, however, was the implementation of the provisions of the Convention, and in that context the Committee was a main engine for the promotion of equality.

5. In pointing out that the United Nations Office at Vienna was the nucleus for social policy in the United Nations, the Director-General said that a major challenge in the overall focus on social policy was to develop programmes for the advancement of women. She expressed her concern to ensure the efficient and expedient performance of the Committee's tasks in the future. She was also aware of the concern of Governments that adequate resources should be allocated to the Committee's work. She pointed out that maximum use was being made of available resources. She noted that, in addition to assigning the nucleus of a secretariat to the servicing of the Convention on a full-time basis, the Division for the Advancement of Women, Centre for Social Development and Humanitarian Affairs, United Nations Office at Vienna, was organizing training programmes on the Convention under the regular programme of technical co-operation and preparing publications relating to the Convention. She noted that the Compendium of International Conventions concerning the Status of Women 1/ had been issued as a sales publication. Resources, however, were scant in relation to the tasks. In the programme budget for the biennium 1990-1991, the staff of the United Nations Office at Vienna as a whole would be cut by nearly 15 per cent from a base that, for historical reasons, was very small. The Director-General asked for the

understanding of the Committee that decisions by Member States to reduce budgets had started to affect programmes.

6. The Director-General then referred to the assessment of the costs of holding meetings of the Committee at the United Nations headquarters at Vienna and in New York based on the full servicing of the Committee (CEDAW/C/L.4), which had been requested by the General Assembly in its resolution 43/100 of 8 December 1988. As far as the costs of travel and per diem allowances of the members of the Committee and servicing staff were concerned, New York was, according to current rates, more expensive than Vienna by about $US 48,000, an amount that would be sufficient to finance a medium-sized expert group meeting to prepare a priority theme for the Commission on the Status of Women. She noted that any savings would be redeployed for other uses in the programme for the advancement of women. However, for technical reasons related to the procedures for calculating conference-servicing costs, any meeting held at Vienna or Geneva would be theoretically more expensive than any meeting held in New York. From the technical and substantive points of view, it was easier for the Secretariat to provide effective services at Vienna. If, however, the Committee decided to meet in New York, she assured the members of the Committee that everything possible would be done to ensure adequate servicing.

7. The Director-General highlighted the Committee's watch-dog function for women's rights and its role as the world's conscience on the elimination of discrimination against women that would propel the international community in the right direction.

8. The important role of the Committee in the elimination of discrimination against women was also pointed out by the Director of the Division for the Advancement of Women in her opening address. She emphasized the heavy responsibility of the Committee, the independence and delicate judgement of whose members played a vital role in evaluating changes and assessing the efforts made by Governments in the application of the Convention. Progress was slow and it was important that the Convention did not remain merely a legal instrument without impact on the daily lives of women. She said, further, that the reports of the sessions of the Committee and of the States parties were at present among the main sources of information for the preparation of documents for the Commission on the Status of Women and she emphasized the multiplier effect of the Committee's work in the definition of global policies.

9. In highlighting the major events in relation to United Nations human rights instruments since the seventh session, the Director of the Division for the Advancement of Women, Centre for Social Development and Humanitarian Affairs, United Nations Office at Vienna, drew attention to the report of the Netherlands Human Rights and Foreign Policy Advisory Committee, which contained useful elements for the Committee, and the meeting of chairpersons of human rights treaty bodies, which had been convened pursuant to General Assembly resolution 42/105 of 7 December 1987 and at which the Committee had been represented by one of its members, Ms. Ilic. She drew attention to the seminar on the Convention, which had been held in Greece and financed under section 24 of the regular budget, the purpose of which had been to help States parties to deepen their understanding of the method of preparing country reports, and she thanked the Government of Greece for its generous hospitality. She noted that the seminar would provide a model for further seminars in other official languages of the United Nations, the next of which was scheduled to be held in October 1989 for Spanish-speaking countries of Latin America.

10. In spite of the reduced resources available, she assured the Committee of the full support of the Secretariat and enumerated statistical and resource materials that were available to the Committee in its work.

C. Attendance

11. At the commencement of the session, 20 members of the Committee were present. Ms. Hanna B. Schöpp-Schilling arrived on 24 February 1989. Ms. Grethe Fenger-Möller arrived on 27 February 1989. One member did not attend because of illness. The membership of the Committee is given in annex III to the present report.

D. Solemn declaration

12. At the opening of the eighth session, before assuming their functions, Ms. Alfonsín de Fasan (Argentina), Ms. Bustelo García del Real (Spain), and Ms. Walla-Tchangai (Togo), who were elected at the fourth meeting of States parties to the Convention, as well as Ms. Bernard (Guyana), Ms. Evatt (Australia), Ms. González-Martínez (Mexico), Ms. Laiou-Antoniou (Greece), Ms. Oeser (German Democratic Republic) and Ms. Sinegiorgis (Ethiopia), who were similarly re-elected, made the solemn declaration as provided for under rule 10 of the rules of procedure of the Committee. At the 139th meeting, on 24 February 1989, Ms. Schöpp-Schilling (Germany, Federal Republic of) and at the 141st meeting, on 27 February 1989, Ms. Fenger-Möller (Denmark) made the solemn declaration provided for under rule 10 of the rules of procedure.

E. Election of officers

13. At its 132nd meeting, on 20 February 1989, the Committee elected the following officers by acclamation: Ms. Evatt (Australia), Chairperson; Ms. Guan (China), Ms. Oeser (German Democratic Republic) and Ms. Pilataxi de Arenas (Ecuador), Vice-Chairpersons; and Ms. Ukeje (Nigeria), Rapporteur.

F. Agenda

14. The Committee considered the provisional agenda (CEDAW/C/17) at its 132nd meeting. The agenda was discussed and adopted as follows:

1. Opening of the session.
2. Solemn declaration by the new and re-elected members of the Committee.
3. Election of officers.
4. Adoption of the agenda and organization of work.
5. Consideration of reports submitted by States parties under article 18 of the Convention.

6. Report of the meeting of chairpersons of human rights treaty bodies and action taken by the General Assembly concerning treaty bodies.

7. Implementation of article 21 of the Convention.

8. Adoption of the report of the Committee on its eighth session.

II. ORGANIZATION OF WORK

A. Working groups

15. At its 132nd meeting, on 20 February 1989, the Committee agreed on the composition of its two standing working groups: Working Group I to consider and suggest ways and means of expediting the work of the Committee and Working Group II to consider ways and means of implementing article 21 of the Convention.

16. Working Group I was composed of:

Ms. Mervat Tallawy (Egypt) (Co-ordinator)
Ms. Ryoko Akamatsu (Japan)
Ms. Ivanka Corti (Italy)
Ms. Elizabeth Evatt (Australia)
Ms. Norma Forde (Barbados)
Ms. Guan Minqian (China)
Ms. Aida Gonzalez-Martinez (Mexico)

17. Working Group II was composed of:

Ms. Chryssanthi Laiou-Antoniou (Greece) (Co-ordinator)
Ms. Ana Maria Alfonsín de Fasan (Argentina)
Ms. Ivanka Corti (Italy)
Ms. Hadja Assa Diallo Soumaré (Mali)
Ms. Grethe Fenger-Möller (Denmark)
Ms. Edith Oeser (German Democratic Republic)
Ms. Lily Pilataxi de Arenas (Ecuador)
Ms. Pudjiwati Sajogyo (Indonesia)
Ms. Hanna B. Schöpp-Schilling (Germany, Federal Republic of)
Ms. Kongit Sinegiorgis (Ethiopia)

18. As the Committee had agreed at its sixth session, the membership of the working groups was kept flexible and open-ended so that other members could attend them.

19. Working Group I held closed meetings from 20 to 24 February, on 27 and 28 February and on 1 March 1989, during which it considered the following items:

(a) The procedures for the consideration of second periodic reports at the eighth session;

(b) The question of whether the Committee should appoint a pre-session working group to prepare issues and questions for the consideration of second periodic reports and what the financial implications of such a pre-session working group would be;

(c) Questions arising from the report of the meeting of chairpersons of human rights treaty bodies and from General Assembly resolution 43/115 of 8 December 1988;

(d) The question of which of the reports of States parties already received by the Secretariat it wished to consider at its ninth session;

(e) The assessment of the costs of holding meetings of the Committee at the United Nations Office at Vienna and in New York, submitted by the Secretary-General in accordance with General Assembly resolution 43/100 (CEDAW/C/L.4) and contained in annex IV to the present report.

20. Working Group II held closed meetings from 21 to 24 February, on 27 and 28 February and on 1 March 1989. It considered draft general recommendations, including four that had been submitted to the Committee at its seventh session, which were subsequently transmitted to the Committee for consideration at its eighth session by a decision of the Committee taken at its seventh session. The draft general recommendations related to statistical data concerning the situation of women, the tenth anniversary of the adoption of the Convention on the Elimination of All Forms of Discrimination against Women, technical advisory services for reporting obligations, violence against women, the principle of equal remuneration for work of equal value and traditional practices.

B. Action taken by the Committee on the report of Working Group I

1. Procedures for the consideration of second periodic reports at the eighth session

21. With regard to paragraph 19 (a) above, in connection with procedures for the consideration of second periodic reports at the eighth session, the Committee decided, on the recommendation of Working Group I, to continue, at its eighth session, with the trial procedures for the consideration of second and subsequent periodic reports, which had been established by the Committee at its seventh session; that is to say, the Committee would prepare a list of issues on the basis of the guidelines for the preparation of second and subsequent periodic reports (A/43/38, annex IV) and an analysis of information prepared by the Secretariat. Working Group I was entrusted by the Committee to prepare lists of issues, arranged article by article or by groups of articles, with regard to the second periodic reports of the Byelorussian Soviet Socialist Republic, the German Democratic Republic and the Union of Soviet Socialist Republics, which were subsequently referred to the Committee and, after its approval, transmitted to the representatives of the States parties to prepare replies for presentation at the same session. The Committee agreed on and forwarded the list of issues to the German Democratic Republic on 23 February, to the Union of Soviet Socialist Republics on 24 February and to the Byelorussian Soviet Socialist Republic on 27 February 1989.

2. Appointment of a pre-session working group in 1990

22. With regard to paragraph 19 (b) above, the Committee agreed that a pre-session working group should meet in 1990 to prepare issues and sets of questions relating to second and subsequent periodic reports for transmission to the representatives of States parties before the meetings at which their reports were scheduled to be discussed. Starting with the ninth session, the Committee would have more second periodic reports than initial reports to consider. The Secretariat had already received 14 second periodic reports for consideration at its ninth session in 1990. The procedures agreed upon by the Committee at its seventh session required the Committee to forward a set of questions to the States parties concerned to

prepare and provide responses during the session at which the second and subsequent periodic reports would be considered.

23. The Committee agreed that the second or subsequent periodic reports of States parties that were to be listed for examination at the following session should be referred to a working group; the working group concerned would consist of five persons, one from each region, and would meet for three to five working days before the following session to prepare issues and sets of questions. The Secretariat should provide the working group with previous reports submitted by the State parties and with statistical and other information from the United Nations system; the working group should report to the Committee at the beginning of the session on the issues and questions that the Committee should discuss with the States parties in connection with their reports. The members of the Committee would then be given time to amend or supplement the sets of questions prepared by the working group. It was further agreed that the Secretariat should continue to provide a comparative analysis of the initial, second and subsequent periodic reports of States parties, indicating which of the questions raised at the sessions of the Committee had been answered by the representatives of the States parties in the second and subsequent periodic reports and at a previous session. The members of the Committee would still be able to ask further questions of the representatives of the States parties.

24. At its 146th meeting, on 1 March 1989, the Committee considered the statement on programme budget implications (CEDAW/C/L.6) of a proposal made by Working Group I, pursuant to rule 50 of the Committee's rules of procedure, which the Secretariat, at the request of Working Group I, had prepared and circulated in accordance with rule 18 of its rules of procedure, and which is contained in annex V to the present report. The proposal was that a pre-session working group should be convened consisting of five members who would meet for three to five working days in order to prepare issues and sets of questions relating to second and subsequent periodic reports being considered at the following session. The Committee agreed, at the same meeting, subject to authorization by the General Assembly, to hold such a pre-session working group meeting for three working days in 1990, from 17 to 19 January 1990, prior to its ninth session to be held in New York from 22 January to 2 February 1990. The costs involved would consist of per diem allowances for five members of the Committee for three working days and per diem allowances for the Secretariat staff servicing the meeting, as well as additional conference servicing costs.

25. At its 149th meeting, on 3 March 1989, the Committee agreed upon the membership and the alternates of the pre-session working group as follows:

Region	Member	Alternate
Africa	Ms. Mervat Tallawy	Ms. Rose Ukeje
Asia	Ms. Guan Minqian	Ms. Ryoko Akamatsu
Eastern Europe	Ms. Elvira Novikova	Ms. Edith Oeser
Latin America and the Caribbean	Ms. Aida González-Martínez	Ms. Norma Forde
Western Europe	Ms. Ivanka Corti	Ms. Hanna B. Schöpp-Schilling

3. Views on the conclusions and recommendations of the meeting of chairpersons of human rights treaty bodies

26. With regard to paragraph 19 (c) above, relating to questions arising from the report of the meeting of chairpersons of human rights treaty bodies, held at Geneva from 10 to 14 October 1988, Working Group I submitted its views to the Committee for its adoption. The Committee expressed its general support for the conclusions and recommendations of the meeting that were submitted to the General Assembly for consideration at its forty-third session. The Committee expressed views on the following recommendations of the meeting:

(a) Consideration of reporting guidelines. 2/ The Committee was willing to consider the consolidation of guidelines governing the initial part of each State party's report and supported the proposal that a core document containing relevant background information on each State party should be prepared and made available to the members of the Committee when considering the report of the State party concerned;

(b) Overdue reports. 3/ The Committee supported the proposal that the Secretary-General should consider instituting a regularly scheduled consultation with the representatives of States parties whose reports were overdue. The Committee therefore supported the measures listed in paragraph 55 of the report of the meeting of chairpersons of human rights treaty bodies;

(c) Technical assistance and advisory services. 4/ The Committee supported the recommendation of the meeting of chairpersons of human rights treaty bodies in relation to technical assistance and advisory services to assist States parties in fulfilling their reporting obligations, and suggested that resources should be sought for the following purposes:

(i) To enable one or two seminars to be held each year on a regular basis in different regions;

(ii) To enable the United Nations Development Programme (UNDP) to provide resources within the Indicative Planning Figure and other funds earmarked for a specific country programme of UNDP, to enable an expert to be sent at the request of a State party to provide assistance to that State party in the preparation of its national reports;

(d) Staffing resources. 5/ The Committee welcomed General Assembly resolution 43/100, paragraphs 8, 11 and 12, and General Assembly resolution 43/115, paragraphs 8 and, in particular, 15 (b), in which the Assembly requested the Secretary-General to review the need for adequate staffing resources in regard to the various human rights treaty bodies. The Committee strongly supported the proposal of the meeting of chairpersons of human rights treaty bodies 6/ to make such financial arrangements as might be necessary in order to enable the Committee to operate effectively, and supported the proposal 7/ that more adequate staffing resources should be provided immediately to service the Committee on the Elimination of Discrimination against Women. The Committee suggested specifically that resources should be provided for the following purposes:

(i) To ensure that there be enough staff to draft reports and to provide adequate translation services (especially in New York);

(ii) To enable research to be carried out at the request of the Committee, in preparation for each session, including the following tasks:

a. To prepare a summary of statistics and to provide other information drawn from United Nations sources relevant to the work of the Committee for each State party whose report was to be considered at the following session; 8/

b. To prepare each year a summary of the information relating to the implementation of the Convention contained in the reports of the States parties; that summary would, in turn, facilitate the updating of the report 9/ that had been prepared by the Committee for the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, held at Nairobi in 1985;

(e) Reporting manual. 10/ The Committee supported the recommendation of the meeting of chairpersons of human rights treaty bodies that high priority should be given to the preparation of a detailed reporting manual to assist States parties in the fulfilment of their reporting obligations. The Committee suggested that the Centre for Human Rights and the United Nations Institute for Training and Research should consult the Centre for Social Development and Humanitarian Affairs of the United Nations Office at Vienna and take into account, inter alia, two existing publications: (a) The Convention on the Elimination of All Forms of Discrimination against Women: the reporting process - a manual for Commonwealth jurisdictions, published by the Commonwealth Secretariat; (b) Assessing the status of women: a guide to reporting using the Convention on the Elimination of All Forms of Discrimination against Women, published by the International Women's Rights Action Watch. The Committee considered that those publications provided a valuable basis for preparing a detailed reporting manual;

(f) Periodic reports. 11/ The Committee recommended that a pre-session working group should be established to make preparations for the consideration of second or subsequent periodic reports.

27. The Committee decided that its conclusions on those of the meeting of the chairpersons of human rights treaty bodies matters should be transmitted by its Chairperson to other chairpersons of human rights treaty bodies.

4. Reports of States Parties to be considered at the ninth session of the Committee

28. With regard to paragraph 19 (d) above, the Committee discussed, at its 148th meeting, on 2 March 1989, which reports of States parties should be examined at its ninth session. As at 3 March 1989, there were 9 initial reports and 14 second periodic reports awaiting consideration, as follows:

Initial reports

CEDAW/C/5/Add.44	Honduras
CEDAW/C/5/Add.45	Romania
CEDAW/C/5/Add.46	Turkey
CEDAW/C/5/Add.51	Thailand
CEDAW/C/5/Add.52	United Kingdom of Great Britain and Northern Ireland
CEDAW/C/5/Add.57	United Republic of Tanzania
CEDAW/C/5/Add.58	Malawi
CEDAW/C/5/Add.59	Germany, Federal Republic of
CEDAW/C/5/Add.60	Peru

Second periodic reports

CEDAW/C/13/Add.2	Egypt
CEDAW/C/13/Add.7	Mongolia
CEDAW/C/13/Add.8	Ukrainian Soviet Socialist Republic
CEDAW/C/13/Add.9	Honduras
CEDAW/C/13/Add.10	Mexico
CEDAW/C/13/Add.11	Canada
CEDAW/C/13/Add.12	El Salvador
CEDAW/C/13/Add.13	Rwanda
CEDAW/C/13/Add.14	Denmark
CEDAW/C/13/Add.15	Norway
CEDAW/C/13/Add.16	Poland
CEDAW/C/13/Add.17	Philippines
CEDAW/C/13/Add.18	Sri Lanka
CEDAW/C/13/Add.19	Spain

29. On the assumption that the establishment of a pre-session working group would be approved by the General Assembly, the Committee agreed that not more than eight initial reports and four second periodic reports should be considered at its ninth session.

30. It was proposed that immediate steps should be taken to obtain the confirmation of the States parties concerned that they would be willing to present their reports to the Committee at its ninth session, to be held in New York in 1990. If any one of the States parties was unable to confirm to the Secretariat its agreement by 1 August 1989, then similar inquiries should be made of States parties on a reserve list. The final list should be settled in consultation with the Chairperson by 1 October 1989.

31. The Committee stressed that it wished to do its work effectively, but that it would need the co-operation of States parties presenting reports to the Committee. It was proposed that States parties should be informed that the Committee wished, as far as possible, to have replies to its questions in the particular session in which reports were presented, so that the Committee's report concerning those States parties could be completed. States parties should be asked to ensure that their representatives were provided with the necessary sources of information. That measure was in accordance with the practice of other human rights treaty bodies. The Committee noted that its work at its eighth session had been delayed by the absence of two States parties. The Committee asked the Secretariat to

ensure that States parties intending to present their reports confirmed in writing to the Secretariat, before being placed on the agenda, their intention to send a representative to the session concerned.

5. Venue of the ninth session of the Committee

32. With regard to paragraph 19 (e) above, the Committee took note of the statement regarding cost, submitted by the Secretary-General in accordance with General Assembly resolution 43/100, paragraph 15, as contained in annex IV to the present report, and decided to hold its ninth session in New York from 22 January to 2 February 1990.

C. Action taken by the Committee on the report of Working Group II

33. At its 148th, 149th and 150th meetings, on 2 and 3 March 1989, the Committee, after discussion, amended and adopted five general recommendations and one suggestion as contained in chapter V of the present report.

34. At its 149th meeting, on 3 March 1989, the Committee noted the increase in violence against women in several countries and the lack of information on the subject and agreed that the Division for the Advancement of Women, Centre for Social Development and Humanitarian Affairs of the United Nations Office at Vienna, should supply members of the Committee with available information on the subject.

III. MEETING OF CHAIRPERSONS OF HUMAN RIGHTS TREATY BODIES

35. At its 138th and 148th meetings, on 23 February and 2 March 1989 (CEDAW/C/SR.138 and 148), the Committee considered the report (HRI/MC/1988/1) of the second meeting of chairpersons of human rights treaty bodies, which had been convened pursuant to General Assembly resolutions 41/121 and 42/105 and held at Geneva from 10 to 14 October 1988. A member of the Committee, Ms. Zagorka Ilic, had represented the Committee at that meeting with the consent of its former chairperson, Ms. Désirée Bernard. The meeting had been held to consider problems relating to the reporting obligations of States parties to international instruments and the functioning of bodies established under such instruments. Chairpersons had reported on the work of their respective treaty bodies, the difficulties encountered and the measures that had been taken to overcome those difficulties and had addressed themselves to the particular problems of their treaty bodies. Ms. Ilic reported to the Committee on the proceedings and outcome of the meeting as contained in the report (HRI/MC/1988/1). She stated that the duration of the sessions of the different treaty bodies, their financing and the number of reports considered at each session varied greatly. Topics of discussion at the meeting had been reporting guidelines, periodicity of reporting, methods of expediting the consideration of reports, technical assistance to be given to States parties and future co-operation between the chairpersons of treaty bodies. She said that the General Assembly, in its resolution 43/115, had taken note of the conclusions and recommendations of the meeting, which had been addressed to States parties, the Secretary-General and, through him, to the different treaty bodies as well as to the specialized agencies, and had invited States parties, the Secretary-General, and the specialized agencies and other United Nations bodies to undertake a series of measures aimed at improving the functioning of the monitoring mechanisms. She reported further that the conclusions and recommendations of the meeting of chairpersons of human rights treaty bodies would need to be considered by the treaty bodies themselves. She therefore invited the members of the Committee to analyse the conclusions and recommendations individually in order to determine which ones applied to the Committee and how they could be implemented.

36. In reply to a question raised by a member of the Committee, Ms. Ilic stated that the overlapping of issues dealt with in the international human rights treaties had been discussed. It had been suggested that the reporting obligations of States parties could be simplified by permitting States parties to use in one report information that had been submitted in reports to other treaty bodies. There should also be interlinkage between the treaty bodies, if they happened to be meeting at the same time at the same location. The chairpersons, the secretaries and the individual members of treaty bodies were urged to maintain regular contact with each other.

37. With reference to the preparation by the Secretary-General of a detailed reporting manual to assist States parties in the fulfilment of their reporting obligations, and to allowing each of the treaty bodies the opportunity of commenting on the draft manual as requested by the General Assembly in its resolution 43/115, Ms. Ilic stated that the manual was expected to contain guidelines that would be, as far as possible, harmonized and consolidated. That, however, should not prevent the treaty bodies from maintaining their individual procedures. In that connection, one member mentioned the existence of two manuals, one of which had been prepared by an intergovernmental organization and the other

by a non-governmental organization, and urged that the value of those documents should be evaluated by the Committee.

38. Regarding questions raised concerning the time needed by treaty bodies for considering second and subsequent periodic reports and the number of staff needed for servicing meetings, Ms. Ilic said that the meeting had not been able to agree on how much time would be required for considering second and subsequent periodic reports, but that it had put emphasis on the need to increase staff for servicing any such meetings that were convened in New York.

39. The Committee was also informed that increased collaboration of the treaty bodies with the specialized agencies was foreseen. Furthermore, the question of publicity to be given to the work of treaty bodies was discussed.

40. Concerning the non-compliance by States parties with their reporting obligations, the meeting of chairpersons of human rights treaty bodies had put great emphasis on using the most suitable means, as applicable to each treaty body, to remind States parties of those obligations.

41. At the suggestion of the Committee, questions arising from the report of the meeting of chairpersons of human rights t eaty bodies and from General Assembly resolution 43/115 were referred to Working Group I for its consideration (see chapter II, section B, paragraphs 26 and 27 of the present report).

IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

A. Introduction

42. The Committee considered item 5 of its agenda at its 134th to 147th meetings, held from 21 February to 2 March 1989 (CEDAW/C/SR.134-147).

43. The Committee had before it for its consideration six initial reports submitted by the Governments of Belgium, Equatorial Guinea, Finland, Gabon, Ireland and Nicaragua and three second periodic reports submitted by the Governments of the Byelorussian Soviet Socialist Republic, the German Democratic Republic and the Union of Soviet Socialist Republics.

B. Consideration of reports

1. Initial reports

Gabon

44. The Committee considered the initial report of Gabon (CEDAW/C/5/Add.54 and Amend.1) at its 134th meeting, on 21 February 1989 (CEDAW/C/SR.134).

45. In introducing the report, the representative of Gabon noted that he personally was not well versed in matters regarding the advancement of women and that the report had been prepared by a newly created ministerial department, the Secretariat of State for the Advancement of Women and for Human Rights. The department monitored all progress made in regard to the status of women and was headed by a woman. Its recent creation explained the delay in the submission of the report and its imperfections.

46. Gabon had undertaken in recent years important legislative and statutory reforms regarding the status of women. Shortly after having attained independence, the country had sought to establish a State based on justice and democracy and respect for the principle of equality between the sexes in all walks of life. Fundamental rights were protected and the Constitution proclaimed equal rights for men and women, which were confirmed by enabling legislation. Like men, women were guaranteed access to free education, employment and vocational training. They could participate in all levels of education; for example, in 1988, women represented almost 50 per cent of the student population enrolled in the faculty of medicine. He said that women participated directly in national and international activities.

47. Social security measures applied equally to women and men, and the State provided free social services to the indigent population, including free pre-natal and post-natal health care for women. The State recognized the importance of the integration of women and men into national development and also guaranteed the principle of equal pay for work of equal value without discrimination. Women were entitled to paid maternity leave. They could choose their profession and employment and had full legal capacity. Personal rights and individual freedom were guaranteed and were not negotiable. Marriage did not detract from the full legal capacity of women. Although the husband was the head of the family, the wife

co-operated with him in assuring the moral and material guidance of the family. Married as well as single women were free to follow a profession, to open a bank account and to obtain a bank loan. Women were also free to marry or not, to remarry or to divorce. They could initiate proceedings for divorce and divorce was not by mutual consent but as a result of a matrimonial offence.

48. The members of the Committee expressed their appreciation for the comparatively frank report, emphasizing that the additional report (CEDAW/C/5/Add.54/Amend.1) complied much better with the guidelines (CEDAW/C/7). The Committee welcomed the presentation of statistics in the report. While appreciating the clear introductory statement, members of the Committee regretted the absence of the person who was primarily responsible for matters concerning the advancement of women in Gabon, with whom they could have had a more active dialogue. They welcomed the political will of the Government and its positive attitude towards the advancement of women, which was reflected in the existence of the Union of Women of the Gabonese Democratic Party and the Secretariat of State for the Advancement of Women and for Human Rights. They pointed out, however, that the concept of equality in Gabon seemed to be different from the one enshrined in the Convention.

49. Several members of the Committee requested further details on what was meant in practice by the statement in the conclusions of the report (CEDAW/C/5/Add.54/Amend.1) that "the situation of women in Gabonese society remains a comfortable one". They stated that the provision in article 253 of the Civil Code to the effect that the husband was the head of the family contradicted the provisions of the Convention.

50. It was asked whether measures had been undertaken to publicize the Convention and members of the Committee underlined the importance of the media in that respect. Further details were requested about the major legal reforms referred to in the report and about the mandate and programmes of the Secretariat of State for the Advancement of Women and for Human Rights and its affiliate bodies.

51. Members of the Committee expressed concern that the Penal Code only regulated prostitution, rather than providing legislation to prevent it. They requested further information in respect of prostitution along with the relevant statistics where possible about the reasons for the existence of prostitution in the country and about the percentage of women who earned a living that way. They inquired whether programmes or institutes existed to counsel prostitutes and whether there was a relationship between prostitution and the high proportion of young mothers.

52. Members of the Committee asked about the percentage of women in the political structure of the country, and to what extent the National Council of Gabonese Women could influence government policy regarding the elimination of discrimination. They also asked whether the attitude of the Directorate for the Status of Women differed from the view, apparently generally held, that the main function of women was to produce children.

53. It was also asked whether the provisions concerning nationality had any implications for the nationality of children.

54. As regards education, members of the Committee inquired about the rate of illiteracy and why the literacy programmes undertaken in Gabon since its independence had been judged by the Government to have failed. More information

was sought on the participation of women in secondary-school teaching, and in technical-school teaching specifically in rural areas, and on the methods used to increase the participation of women in secondary-level education. It was also asked whether the educational situation was different in urban and in rural areas and whether the Government was undertaking measures to promote the education of women. More information was requested on the programme of the Interministerial Working Group on Sex Education.

55. Members of the Committee inquired whether night work was prohibited for women, whether women received technical or vocational training and what the duration of maternity leave was. As regards community work for obtaining energy and water, which was carried out mainly by women, it was asked whether the women who were engaged in those tasks received any wages.

56. It was considered that the Government put an unusual burden on the shoulders of young women by requiring them to increase the population of the country. More information was sought on the Centres for the Protection of Mothers and Children. It was asked whether the Government considered family planning as a right, whether sex education had been introduced in schools, and whether abortion was illegal. Members of the Committee wanted to know whether many illegal abortions were performed. Inquiries were made about the average number of children in a family and also about plans to build child-care centres.

57. It was asked whether, in spite of what had been stated in the report (CEDAW/C/5/Add.54/Amend.1), married women could in practice open a bank account and be granted bank loans.

58. Information was also sought on the percentage of household chores and farming work carried out by women, and the extent to which rural women had a share in the family income. Some members of the Committee inquired about the existence of female extension workers and asked whether women were also involved in the production of cash crops and what was meant in Gabon by the term "modern family farming" mentioned in the report (CEDAW/C/5/Add.54). Some members asked whether Gabonese women considered their situation in agricultural work as disadvantageous. It was asked further whether efforts were being made to convince women of the usefulness of training.

59. Several members of the Committee stated that several legal provisions referring to marriage relationships and the patriarchal family structure, such as the legislation concerning the family residence or the fact that a Gabonese man could forbid his wife to work outside the home, were absolutely discriminatory and contrary to the spirit of the Convention. Information was requested on how the prohibition by a man regarding his wife's work outside the home was implemented, as well as on whether there were any signs of change in that respect. Similarly, the provisions in the Civil Code concerning adultery constituted a flagrant discrimination against women. Clarification was sought regarding the phrase "outside those cases allowed by custom" in article 268 of the Civil Code (CEDAW/C/5/Add.54/Amend.1). Some members of the Committee asked whether they were right in assuming that article 226 of the Civil Code implied the simultaneous existence of a monogamous and a polygamous marriage régime. Other members asked why women did not seem to initiate court proceedings in cases of discrimination and whether it was because of a lack of education or a fear of social consequences. It was also asked whether there was a feminist movement pressing for an amendment of the family law. As regards divorce, it was asked whether a woman would be entitled

to alimony if the divorce was granted because of the fault of the woman. It was asked further whether common-law wives received any assistance in the case of illness.

60. It was asked why, as stated in the report (CEDAW/C/5/Add.54), the widow and orphans of a deceased male were excluded from the partition of his property, why children born out of wedlock were not entitled to financial support from their parents and what was involved in acknowledging a child. It was also asked whether women had in practice the right to ask for divorce and what the social attitudes towards divorced women were.

61. In reply to the questions raised, the representative of Gabon said that the problems faced by women in developing countries did not differ from those in industrialized countries. African society was mainly paternalistic, however, and that notion continued to exist even among young people. He regretted that he was not in a position to reply to the questions raised, but he assured the Committee that he would convey the questions to the competent authorities in his country. He noted the usefulness of the meeting in increasing his personal understanding of women's problems, and stated that if the Minister responsible for the report had attended, she would have been able to have had a fruitful dialogue with the members of the Committee in defending her report and answering their very pertinent questions. In his opinion, the frankness of the report almost bordered on exaggeration and it would have better served the desired ends had reference been made not only to legal provisions, but also to the actual situation of women. He confirmed that his Government was making many efforts to promote the advancement of women.

62. The members, while appreciating the efforts of the representative of the Government to present the report, emphasized the importance of States parties taking their obligations seriously and, furthermore, of having a constructive dialogue with the representative of the State party. They expressed the hope that the replies would be given either in the very near future or included and presented in the second periodic report before the ninth session.

Ireland

63. The Committee considered the initial report of Ireland (CEDAW/C/5/Add.47) at its 135th and 140th meetings, on 22 and 24 February 1989 (CEDAW/C/SR.135 and 140).

64. The representative of Ireland introduced the report by providing additional information on the situation of women subsequent to the submission of the initial report in 1987. He stressed that progress since then had taken place at a time of great economic and fiscal stringency. Ireland still had high levels of unemployment and emigration. The former was a major cause of poverty, the stress of which usually had more impact on women, and so the Irish Government had preserved the real value of social welfare (income support) entitlements. Further provisions had been made in the 1989 Budget for the poorest people, particularly families with low incomes.

65. The representative reported that a new government mechanism for supporting and developing equal opportunities for women had been set up in April 1987 to replace the Office of the Minister of State for Women's Affairs. Also, an overall co-ordinator of government policy responsible for monitoring developments had been appointed, and a co-ordinated report on equal opportunity, the first of a series,

had been produced by the Minister of State at the end of 1988. The representative gave details of the continuing work of the Joint Parliamentary Committee on Women's Rights, the Employment Equality Agency and the Council for the Status of Women.

66. In the area of education, the representative emphasized that the promotion of equal opportunities throughout the entire educational system had been sustained and developed to eliminate sexism and sex-stereotyping at all levels. Curricula and the assessment of educational attainment at primary and secondary-school levels had been subjected to review bodies, and equality in access to training had been promoted. Further policy measures to encourage a greater participation of women in sport included the award of additional grants to women's organizations.

67. In the area of employment, the representative reported that the most significant statistic was the high unemployment rate of 18.6 per cent. He reported that the overall figure for women's participation in the labour force was 30.9 per cent. Since the submission of the initial report, the Employment Equality Agency had assisted complainants with all matters relating to employment. A major development was the fact that the Minister for Labour had recently submitted proposals for the reform of existing equality legislation in order to solve problems that had arisen in enacting it. The representative also reported on new initiatives in training, in non-traditional vocations and in giving encouragement to women entrepreneurs.

68. The representative reported on developments in regard to the legal protection of children. He also outlined the initiatives taken to study women alcoholics and to amend the law on rape.

69. In the area of social welfare, the representative reported on the extension of health insurance schemes, at the demand of Irish women's groups, to include dependent spouses. A further positive development was the extension of social insurance cover to self-employed persons, thus removing the necessity for widows to undergo a means test. Further measures contained in the 1989 Budget would bring into line the social welfare entitlements of all persons.

70. The representative referred to the development co-operation programme of Ireland, which actively pursued and supported specific policies for the promotion of women in development at the bilateral and multilateral levels.

71. Since 1987, Ireland had enacted legislation that had permitted the withdrawal of reservations with respect to the Convention, made at the time of its accession, on nationality and citizenship, domicile and equal treatment in matte of social security. It was not envisaged, however, that the remaining reservations would be withdrawn.

72. In his conclusions, the representative stressed the commitment of the Irish Government to realizing the objectives of the Convention. He said that Ireland was fully aware of the work that remained to be done to ensure de facto as well as de jure equality of opportunity in Irish society.

73. The Committee expressed its appreciation for the technically excellent and comprehensive report, which had been produced in accordance with the guidelines. The report gave a clear picture not only of the legislation, but also of the actual situation of women, in Ireland. The commitment of the Irish Government to the implementation of the articles of the Convention was noted, as was the prompt

submission of the report after the accession by Ireland to the Convention. The Committee took note of the Government's view that further improvement was possible and encouraged the Government to maintain the initial impetus.

74. The withdrawal of several reservations was particularly welcomed and members of the Committee expressed the hope that the remaining reservations would be reviewed and withdrawn soon. Clarification was requested on the representative's comment with regard to the reservation of the State party to article 15, paragraph 3, of the Convention, in which it was stated that strict adherence to it would be against the spirit of the Convention.

75. The Committee welcomed the use of the media and the publicity that had been given to the Convention by the Irish Government. The Committee requested information on the new office that had replaced the Office of the Minister of State for Women's Affairs as regards its budget, the number of persons involved, how it was organized and how it functioned. The importance given to women's organizations was noted.

76. It was observed that the new policies were not well balanced and that the ones concerned with employment were less conservative than those concerned with the family. It was noted that women were not integrated into political decision-making and information was requested on any steps that had been taken to encourage women to participate in political decision-making bodies.

77. The Committee requested more details on the "external forces" mentioned in the report under the section on women in Irish society and it was asked if those forces still existed and what had been the consequences. The Committee also asked whether factors other than emigration had contributed to the high level of unemployment in Ireland and what proportion of the migrants were women.

78. Observing that the terminology used in the Irish Constitution could lead to discrimination, the Committee asked whether it was considered sufficient to safeguard the rights of women in the social sphere.

79. The Committee asked for comments on whether the positive measures taken to amend the legislation might not also have potential adverse consequences. More details were requested on the nature of the complaints handled by the Labour Court. Also, clarification was sought on who could report a rape to the authorities.

80. It was asked whether standards had been established and goals set for achievements and progress within the year in the positive action programmes.

81. Emphasizing the importance of the media in eliminating stereotypes, the Committee asked whether a self-regulating body was sufficient and how successful it had been. It was asked whether all advertisements had to comply with the law and how many, in fact, did, and whether a bill was being prepared to cover private television companies. The Committee also asked if any publicity programme was being used to encourage women to enter public life and suggested that such a measure could help to bridge the gap between the law for equality and the low level of participation of women in politics.

82. The Committee inquired how prostitution was dealt with by law and whether it could be considered an offence by both sexes. Details of the treatment under the

law of procurers and clients were requested. It was asked whether the law on soliciting had been implemented. Information was requested on the incidence of prostitution and whether any studies on it had been carried out, and what happened in the case of rape.

83. Details of how the National Women's Talent Bank was organized, how it was used and whether it had been beneficial to the employment of women were requested. The statistical data presented in tables in the report showed the representation of women in the Senate and in the main political parties to be low and reasons for that were requested. It was asked if there was any evidence of more involvement or interest on the part of women, rather than a natural increase in the population, that had led to the increase in female candidates. Information was requested on the participation of women in political parties, on their roles and posts at the executive levels and whether the work of women was confined to the social areas. Observing that there was a low level of participation of women in all levels of administration in public life, the Committee asked the representative if any reasons for that were known. The Committee observed that only recently had married women been able to make a career in public life and an improvement in their participation was noted.

84. Members of the Committee requested statistics on the proportion of women in the diplomatic service and the level of their involvement, as well as on the overall number of women in the foreign service and the reasons for their low participation.

85. In the area of education, the Committee asked if co-education was well received and prevalent and if the programme of action had been successful. More details of scholarships and study grants were requested. Information was requested on whether sex education was conducted and, if so, what its effects had been. Data on the drop-out rate for women were requested as well as on efforts made by the Government to reduce it. Details of the reasons for women not completing their education were requested.

86. In the area of employment, more information was requested on shared work and on the figures for part-time work. Clarification of the conditions of maternity leave for part-time workers was requested. While there appeared to be legislation to safeguard equal pay for work of equal value, the Committee noted that there were still obstacles to its implementation. The report of Ireland was one of the few that had attempted to clarify the situation and members of the Committee said that it would appreciate being informed of the experiences of the Government; since the laws applied to both the public and private sectors, details of the experience of applying the legislation to both sectors were requested.

87. The Committee asked questions about access to, and policies governing, child-care facilities including whether crèches and kindergartens were open to all women or only working women or those who could afford the fees. Details of the amount of funds available for child-care facilities and the degree of reliance on voluntary organizations were requested. The Committee also wished to know who were involved in those voluntary organizations and, if they were women, whether that situation perpetuated their role of helper. The Committee was interested to know if there were any sectors of employment that were not open to women who were married or had family responsibilities.

88. One Committee member observed that the report had stated that it was the duty of the State to provide the right to work and wished to know how the Government would evaluate the existing level of unemployment. The report stated further that the Government guaranteed economic security for women and the Committee wished to know how that was achieved.

89. In the area of health, more information was requested on the degree of access to contraceptives for women under the age of 18 in the light of the rising incidence of teenage pregnancies generally. It was asked why a prescription was required for contraceptives. Statistics, if available, were requested on the number of Irish women who had had clandestine abortions (in Ireland or abroad). It was also asked whether the fact that abortion was illegal was not considered by the Government to be contrary to the objectives of equality of opportunity and self-determination enshrined in the Convention. Exact data were requested on deaths resulting from illegal abortions and it was asked whether any action had been taken to stem the increase in deaths. Further, the Committee wanted to know if there was a strong movement from feminist groups with regard to legalizing abortion and if anything was being done to change the law. The Committee also wished to know whether abortion in the case of rape was illegal and whether there were any legal consequences for persons in that situation.

90. The Committee asked if the health education programmes were co-ordinated by the Health Education Bureau with general education programmes. Information was requested on the Government's plans with regard to research and awareness programmes on the acquired immunodeficiency syndrome (AIDS).

91. In the report, health programmes and services were stated to be free to all. The Committee sought clarification on whether that meant the working population or everyone.

92. Details of the number of refuges for rape victims and drug abusers were requested. The Committee asked if there was any law to control drug abuse and at whom it was directed. Statistics were requested on the incidence of drug abuse in youth in general, as evidence had shown that new-born babies were affected by the drug addictions of both parents. Details of the task force to deal with drug abuse were requested. The Committee asked for figures on the number of women drug addicts and for details of any positive action that had been taken. Details of the legal penalties for consuming, selling, distributing and buying drugs and on the type of drugs involved were requested.

93. Members of the Committee asked for details of the assistance given to indigent women living in rural areas.

94. The Committee inquired about the number of couples cohabiting in Ireland and whether the partners in such an arrangment were treated equally in society. Although there was no provision for divorce in the Constitution and divorce had been rejected by the 1986 Referendum, it was asked whether there was any form of judicial separation. The Committee asked about the extent to which religion affected married life and children, and for information on the incidence of breakdown of marriage as well as on the effectiveness of the pilot project on the Family Mediation Service.

95. The Committee asked how the new adoption act differed from the earlier one and if single parents could adopt. Members were interested to know whether any of the recommendations of the Review Committee on Adoption Services had been accepted.

96. The Committee inquired whether any studies on violence within marriage had been made and whether rape within marriage was regarded as an offence.

97. The representative responded first to the general questions that had been posed by the Committee. He described the three-year programme on national recovery that was part of the global policy of the Irish Government to combat unemployment. That programme had been agreed by the social partners (employers, workers, farming organizations) and its main objective was to develop the economy, thereby increasing employment and reducing the excessive levels of government borrowing and debt. The programme set out the targets for new jobs in key sectors of the economy and the agreed strategies for the social partners to achieve those targets. The representative reported that the Labour Force Survey of 1988 had shown that, for the first time since 1980, the number of jobs had increased appreciably and unemployment had been reduced.

98. In response to questions posed on the new organizational arrangements for equality issues within the Irish Government, the representative reiterated that the Prime Minister had personally instructed all the members of the Government to advance the position and status of women in all aspects of their responsibilities and had assigned specific responsibility in women's affairs to individual ministers. The Prime Minister had assigned a Minister of State within his Department to co-ordinate and monitor all government initiatives on equality. In 1988, the Minister of State had published a public document on the developments that had occurred since the new arrangements were introduced.

99. The representative said that it was difficult to compare funding for the new co-ordinating arrangements with those for the former Office of the Minister of State for Women's Affairs. The Prime Minister's Department continued to fund the Council for the Status of Women and had increased its allocation in 1988 and 1989. Other women's organizations were funded directly by the department concerned. He said that the Council for the Status of Women was a broad-based organization open to any group that was actively or primarily involved in furthering the interests of women. Currently, 75 women's groups were affiliated to the Council, whose constitution specifically precluded political organizations from becoming members. The Council operated on the basis of consensus but could also decide its position by referendums.

100. The representative reported that the involuntary or forced emigration of persons seeking jobs was currently a serious problem for Ireland. That problem was particularly acute because of the age structure of the population, with 28 per cent aged 15 years or under. Other emigrants were mainly young single men and women although another pattern of older emigrants had emerged, whereby a husband would work abroad to support a family at home. A disaggregation of figures for emigrants by gender was not available.

101. The representative clarified the position of the Irish Government regarding the remaining reservations to the Convention. Regarding articles 13 (b) (access to bank loans, mortgages and other forms of financial credit), and 13 (c) (participation in recreational activities, sports and all aspects of cultural life), the Constitution allowed any citizen to pursue a grievance through the courts and further specific legislation was not considered necessary. With regard to the statement on access to private clubs, it was considered that a ruling of the High Court that was pending might determine the fate of the objections in relation to individual rights under the Constitution. With regard to the reservation on

legal capacity, it was felt that the argument could well be a semantic one and a further study had been proposed with a view to withdrawing the reservation. He said that there was no intention of withdrawing the remaining reservations. The Irish Government considered them fully in conformity with the aims of the Convention.

102. Responding to questions raised under specific articles of the Convention, the representative explained that the Irish Constitution did not guarantee absolute equality for all citizens in all circumstances but provided a guarantee of equality for all citizens as human persons commensurate with their dignity as human beings. The Constitution guaranteed against any inequalities founded upon the assumption or belief that some individuals or classes of individuals, by reason of their human attributes or ethnic, racial, social or religious backgrounds, were to be treated as inferior or superior to other individuals in the community. As regards the terminology used in the Irish Constitution, the Government was satisfied that the reference in article 40.1 to "social function" created no obstacle to eliminating discrimination against women in Irish society.

103. The Irish Government defended the scheme for flexible working hours, job-sharing and career breaks in the public sector as it provided a means by which women could maintain a foothold in the labour market and return to secure full-time employment as their personal circumstances and job vacancies allowed. The representative said that those measures had been sought and welcomed by the trade unions in Ireland.

104. The representative said that anyone could report an incident of rape or sexual attack but prosecution depended on the victim bringing charges against the perpetrator. The support programmes for victims of rape consisted of a specialized medical and counselling centre in Dublin and a network of rape crisis centres in the larger urban centres, which provided full medical counselling and psychological support for the victim. An important role of the centres had been the contact with, and the sensitizing of, the police.

105. The representative reported that positive action strategies were assessed by continuous appraisal, which was an integral part of the monitoring and evaluation process. The practical effects of the appraisal process were an increase in the Small Industries Grants to women from 3 per cent in 1984 to 20 per cent in 1987; an increase in the participation of women in apprenticeships in the period 1986-1988 of 12 per cent; and the issuance of a policy statement by the Minister of Justice setting an initial target for levels of female staffing in the prison services, which had yet to be achieved. Furthermore, in 1988, 36 per cent of the persons receiving vocational training were women.

106. The representative responded to questions on the effectiveness of controls over advertising standards. The Code of Advertising Standards for the State radio and television service (RTE) required that all advertisements should have a high degree of responsibility and pay due regard to the changed role of women in Irish society. Further self-regulatory controls applied by the Advertising Standards Authority for Ireland included references to decency, honesty, the inherent equality between the sexes and the need to avoid derogatory judgements of either sex. It was considered that the close monitoring ensured a correct portrayal of women in the media. A recent study had shown that there were fewer advertisements exploiting the female body and a trend to portray men carrying out domestic tasks. The ultimate sanction for non-compliance with the Code of Advertising Standards was

the withdrawal of the offending advertisment at a substantial financial loss to the advertiser.

107. It was felt that article 41.2.1 of the Irish Constitution, which provided that "the State recognises that by her life within the home, woman gives to the State a support without which the common good cannot be achieved" reflected the sentiments expressed in the preamble to the Convention and there were no proposals to change it.

108. With regard to the article on prostitution, the representative stated that in cases of soliciting of women by men, charges were preferred against both the prostitute and her client under general legislation dealing with indecent exposure and actions contrary to public decency. Legislation was also in force with regard to cases of the soliciting of men by other men on behalf of prostitutes or of men soliciting for homosexual purposes. The representative reiterated that the proposals for legislative reform referred to in the report remained under consideration by the Government. No objective assessment could be made of the incidence of prostitution owing to Court decisions in recent years that had rendered the legislation inoperative. The representative was not aware of any studies on prostitution that had been undertaken in Ireland.

109. The representative explained that the National Women's Talent Bank was a directory of women who were considered suitable for appointment to State boards on the basis of their skills and experience. The directory had been compiled by a unit operating under the aegis of the Council for the Status of Women and was supplied to all government departments.

110. The representative confirmed that the higher proportion of female members of parliament and senators for the period 1957-1982 had resulted from the increased participation of women in Irish political life rather than any changes in the population structure. That increase reflected the efforts of the feminist movement since the early 1970s and, in particular, of the Women's Political Association. Disaggregated statistics of membership for all political parties according to gender were not available, but two of the five main political parties reported that women constituted 45 per cent and 24 per cent of their membership, respectively. With one exception, the participation of women in the main political parties had increased since 1984. Women currently held the posts of Minister for Education, Minister of State for European Affairs and Government Co-ordination, and Chairperson of the Senate, and chaired the parliamentary committees dealing with women's rights and European Community legislation. Among the opposition parties, the portfolios held by women included foreign affairs, Northern Ireland, agriculture, justice, marine affairs, health and development co-operation.

111. The representative informed the Committee that over the past 10 years, 33 per cent of the recruits to the diplomatic service, which incorporated the consular service, had been female.

112. The representative reported that the Department of Education had issued guidelines to post-primary schools for sex education, which emphasized the importance of consultation with, and the support of, parents in devising programmes of education and guidance on sexuality. Machinery for liaison between the Department of Education and the Department of Health (including the Health Promotion Unit) had been designed to ensure that the policies affecting life skills, including sex education, pursued by the two departments were complementary.

113. The representative stated that approximately 75 per cent of the national primary schools were co-educational and 77 of the 84 new schools established since the Programme for Action in Education had been adopted in 1984 were co-educational. At the secondary-school level, all new State-run schools were co-educational as a matter of policy and the trend for privately managed secondary schools to amalgamate and become co-educational was encouraged by the Department of Education.

114. Statistics showed that, at the post-primary level, the drop-out rate for girls was 19.7 per cent compared with 32.4 per cent for boys. The completion rate at tertiary-level institutions showed little difference between male and female students, 94 and 87 per cent respectively; for institutions offering non-degree courses, the figures were reported to be less reliable and estimated at 65 and 51.5 per cent for male and female students, respectively. A new programme of special education and training for those who left school with few or no qualifications came into force in January 1989 aimed equally at young people of both sexes.

115. The representative reported that the two sources of educational scholarships at the tertiary level were grants funded by the State (which had been drawn on by 23.2 per cent of the female students and 20.5 per cent of the male students), and grants funded by the European Social Fund, which applied mainly to the job-training sectors (which had been drawn on by 36.2 per cent of the female students and 42.4 per cent of the male students). Overall, grants were available to 60.9 per cent of the female university students and to 62.7 per cent of the total student population.

116. As regards employment, the representative quoted statistics that showed that, in the civil service, 67 per cent of the persons taking career breaks and 95 per cent of those sharing jobs were women. Figures for the wider public service (in which the main professions of teaching and nursing were female-dominated) were not available but were likely to show a higher incidence of women interrupting or sharing their careers. Sixty-nine per cent of the part-time workers were women. In order to qualify for protective legislation, part-time workers had to work a minimum of 18 hours a week; of those working fewer hours, 86 per cent were women.

117. Within the context of the State having to reduce its level of borrowing and debt, child-care services were currently provided for disadvantaged children only. The legislation on child care currently before parliament would establish standards for the supervision of nurseries, crèches and play groups in private day-care centres. The costs for private child care were estimated to constitute 10-13 per cent of a combined male and female average industrial wage. Many families relied on family resources to assist with child care. Women had access to child-care facilities, if provided, at the spouse's place of work. Reliance on voluntary organizations providing child care was recognized as not being an ideal solution but it would have to continue under the current economic climate.

118. The representative stated that the protection afforded by employment equality legislation extended to pregnant women who applied for jobs.

119. The maternity allowance was paid, together with a non-taxable social welfare benefit, for the 14-week period of maternity leave and was equivalent to, or higher than, the usual take-home pay. The representative clarified the fact that the maternity allowance applied to women in full-time employment, who were entitled to resume work with their current employers at the end of the 14-week period, while

the maternity benefit applied to women currently out of work who had sufficient insurance contributions and to women who intended to stop working after the birth of the child. The maternity benefit was paid for 12 weeks, at a lower rate than the maternity allowance.

120. In response to the question on whether there were any sectors of the labour market in which the marital or family status of women remained an obstacle, the representative stated that minor exclusions existed only in the defence forces, the police and the prison services.

121. It was considered that the cases currently referred to Equality Officers of the Labour Court were of a more complex nature than earlier ones and the decrease in the number of cases was on account of fewer infringements of the legislation that had been in existence for more than a decade.

122. The criteria for judging work of equal value in equal pay claims were explained by the representative. He gave an example of a case in 1985 of equal pay for work of equal value that had been successfully upheld. In answer to the question on how the law on equality could cover both the public and private sectors, the representative stated that the employment laws did not impose restrictions but, rather, conferred rights on some individuals and obligations on others and thus struck a balance between the two. The Constitution conferred those rights globally, in both the public and private sectors, except in circumstances where a distinction could be clearly justified as in laws that protected a category of citizens such as children.

123. The representative responded to the questions in the area of health. On the subject of abortion, he explained that Irish law did not distinguish between clandestine and other abortions. Abortion had been illegal since 1860 and the provision had been upheld by a referendum held in Ireland in 1983. A number of women's groups had played a prominent role in lobbying for abortion rights during the debate preceding the referendum but the feminist movement was not united on the issue. Police authorities had not reported any incidences of clandestine abortion in Ireland and it was believed not to occur as Irish women could avail themselves of legal and safe abortion facilities in the United Kingdom. On the question of the demand for abortion, the number of women who had given an address in Ireland and who had availed themselves of an abortion in the United Kingdom in 1987 was reported to be 3,700, but it was considered that that figure might be low due to under-reporting. In answer to the question of whether the absence of abortion rights meant that many women would have to function as single parents with the attendant economic difficulties, the representative informed the Committee of the special weekly unmarried mother's allowance, which was available subject to a means test.

124. With regard to the entitlement of citizens to hospital services, the representative stated that persons whose means were below a certain level were entitled to the full range of health services without charge and that approximately one third of the population fell into that category. Charges for in-patient services and specialist services in out-patient clinics were related to the patient's income. Maternity services were free of charge for women with low and middle incomes.

125. It was reported that out of a total of 17,534 persons in Ireland who had voluntarily taken the test for the human immunodeficiency virus (HIV) antibodies, 742 had tested positively. No disaggregation of the figure by gender was available. Of the total number of confirmed clinical cases of AIDS, fewer than 10 per cent were women. Besides male homosexuals/bisexuals and haemophiliacs, there were a disturbing number of intravenous drug abusers whose tests had been positive. A confidential HIV-testing service was available through any general practitioner, clinic for sexually-transmitted diseases or major general hospital. Testing for women was also available through maternity hospitals and the maternity clinics of general hospitals, and pre-test and post-test counselling were an integral part of the test.

126. The representative stated that the specific laws on drug abuse were contained in the Misuse of Drugs Acts of 1977 and 1984. Cases of persons who had been convicted for drug abuse were punishable by imprisonment and fines. There was no limit to the financial penalty for supplying drugs and the maximum term of imprisonment was life. Statistics showed that 27 per cent of the total number of patients attending the Drug Advisory and Treatment Centre at Dublin were women or girls. In response to a specific question, the representative identified the most frequently abused drugs as heroin, minor tranquillizers, alcohol, cannabis, Temgesic, physeptone, DF118 and morphine and reported that many addicts in Ireland abused several drugs simultaneously. He said that the requirement for prescriptions for contraceptives was considered important so that regular medical supervision could be maintained.

127. On the question of poverty in rural areas, the representative stated that with the large shift of the population to urban areas during the previous 20 years, poverty in Ireland was based mainly in the cities. A State agency to combat poverty had been established with a central focus on giving support to community development projects. Seven specific areas had been identified for support, including women's and family groups.

128. The representative explained that the 1988 Adoption Act had been devised to cope with the specific problem of children who had been neglected or abandoned by their parents and who were taken into care by the State. Before the enactment of the 1988 legislation, such children could not be adopted without the consent of their parents. Those children were in many cases condemned to an institutionalized life as the parents were, by definition, either negligent or uncontactable. Under the new Act, such children could be adopted following an application through the High Court. In general, only married couples could adopt.

129. On the question of marital breakdown, the representative reported that the only available statistic indicated that separated and divorced persons had represented 2 per cent of all married couples in 1987. Indications were that social attitudes varied in accordance with age and domicile. The provision for judicial separation under Irish law, divorce a mensa et thoro, had been described in the report. Agreement had been reached between the Government and the main opposition parties on the terms of judicial separation and a nascent Family Law Reform Bill would greatly ease the conditions under which a judicial separation could be obtained. The Bill would also empower the court in separation proceedings to make orders for maintenance, secured maintenance, lump-sum payments and orders relating to the property owned by either spouse. The Bill would also provide for a more informal hearing and the use of counselling and mediation services. The representative said that recent Court judgements had halted the introduction of a

statutory right to an equal share in the family home and its contents. He informed the Committee that a High Court decision of 1988 had conferred a half share in the family home and contents on a non-working spouse. No realistic conclusions could be drawn regarding the success of the operations of the Family Mediation Service as that was still under trial.

130. No details of studies on violence within the family were available owing to the time constraints in preparing replies to the questions. Refuges for women who were victims of violence and their children existed in all Health Board regions and received considerable government funds.

131. On the subject of the influence of religious bodies on life in Ireland, the representative stated that the Constitution expressly provided that the State would not give preferential status to any religious denomination and, accordingly, there was no State Church. In Ireland, the level of religious practice among members of all denominations was fairly high but, although religious leaders were free to express their opinion on issues of current concern, decisions on legislation were a matter for the determination of members of parliament only.

Equatorial Guinea

132. The Committee considered the initial report of Equatorial Guinea (CEDAW/C/5/Add.50 and Amend.1) at its 136th and 138th meetings, on 22 and 23 February 1989 (CEDAW/C/SR.136 and 138).

133. The representative of Equatorial Guinea, in introducing the initial report, said that it consisted of a general overview of rules and regulations adopted by the Government to ensure that women enjoyed the same rights and opportunities as men in all spheres of life and of a comparison of the different articles of the Convention with the laws and regulations of Equatorial Guinea. She indicated that the report also described concrete measures to ensure the full exercise of women's civil, political, economic, social and cultural rights granted by the decree that had established, at the ministerial level, the Department for the Promotion of Women. The main assignments of the Department included planning activities related to the role of women in the fields of labour and employment, health, education and the evaluation of training projects, analysis, investment, management and budget.

134. The representative pointed out some of the difficulties encountered by women in exercising their rights, as recognized by the law. Other difficulties encountered were reflected in the number of girls who dropped out of school at an early age and the number of cases of early maternity, as well as in the insufficient number of schools and teachers.

135. The Committee noted the great effort that the Government had made to present its report. The members of the Committee recognized the technical difficulties that developing countries usually experienced in preparing reports, such as the lack of statistics, data and other information material. The commitment of the Government to promote women's issues was acknowledged. The members expressed the hope that the experience gained by the representative would improve subsequent reports on Equatorial Guinea and help to implement concrete measures for the advancement of women. The Committee also hoped that future reports would fill the gaps in the current report.

136. Questions were raised about the the Department for the Promotion of Women, including its organization, budget, the number of women it employed, and its work in regard to women's health and education. The Committee wished to know about the development of women's programmes by the Department and what financial resources were available for them. Details of the measures taken to publicize the Convention were requested; members asked about the degree of awareness of the Convention that was promoted by the Department, not only for the benefit of women themselves, but also to bring about changes in the de jure and de facto policies.

137. More information was requested on whether the consciousness-raising and training seminars provided opportunities for distributing and discussing the Convention, including the role women played in society, measures to protect mothers, and the difficulties of implementing measures that were possibly not in accordance with the country's practices and customs. It was asked whether any guidance was given to mothers in determining when they should have children. It was also asked whether there were any other programmes, in addition to the consciousness-raising and training seminars, to improve the living standards of women.

138. With respect to article 2 of the Convention, it was asked what the situation of women was within the context of the Fundamental Law prohibiting discrimination, as well as whether there was any provision for sanctions and, if so, who implemented them.

139. As regards the special classification of temporary measures aimed at accelerating de facto equality, questions were asked about the minimum age for marriage, whether it was influenced by law and custom, and whether any legal protection was accorded to women who did not wish to marry or bear children.

140. Regarding measures to modify social and cultural patterns of the conduct of women, it was stated that it was difficult to formulate questions because no information had been provided in the report. The Committee expressed the wish for information on programmes aimed at changing attitudes towards the stereotyped roles of women and men.

141. Several members of the Committee said that, although it appeared from information in the report (CEDAW/C/5/Add.50) that prostitution was a punishable offence, they would like to know whether prostitution resulted from unemployment and if there was a possibility of changing the situation by providing employment for women. It was asked whether measures had been taken to ensure that prostitution was not practised and whether any measures were in force to assist women involved in prostitution.

142. Details were requested regarding the political participation of women: the number of women involved in political parties, the number of political parties, and the right of women to participate in those political parties and in local government. The Committee requested that the information provided on the political participation of women in the report (CEDAW/C/5/Add.50) be expanded. It was asked how many women's organizations existed in Equatorial Guinea.

143. Regarding the representation of women and their participation at the international level, details were requested about the number of women representing the country abroad and the number of women appointed to represent the Government at home. It was also asked whether there were women representing the country at the

United Nations, the International Labour Organisation, and other United Nations organizations, and whether there were any women ambassadors or women holding posts within the Ministry of Foreign Affairs.

144. Several members of the Committee requested more information on the educational curricula and on the general participation of women in education and, in particular, the number of girls in full-time attendance in schools. It was asked whether there was a co-educational system, and if there had been an improvement in the number of women involved in the process of education. Comments were also requested on how early pregnancy affected the attendance of women at secondary school, and whether women had to drop out of school because of marriage and the lack of assistance in child care. Inquiries were made about the number of girls who were obliged to drop out of school. Information was requested on whether husbands supported and encouraged their wives to exercise their rights to education. It was asked what the rates of illiteracy were among women and men and whether there was any connection between school drop-out rates, early pregnancy, illiteracy and low pay, and prostitution. With regard to the promotion of education facilities in rural areas, it was asked whether the situation of women was improving and what proportion of women dropped out of school after having borne a child. Information was also requested on the levels of women's participation in higher education, and whether there had been any breakthrough by women at the tertiary level and in such non-traditional areas as engineering and computer science.

145. Information was requested on the extent of unemployment in Equatorial Guinea, and whether women could take vocational training courses. It was asked whether the principle of equal pay for equal work was respected by employers and, if not, what remedies were available, what procedures had to be followed and whether an inspectorate of labour, the courts or trade unions were involved. Information was requested on what concrete statutory provisions existed to protect pregnant working women. It was asked whether maternity leave was available and, if so, what its duration was and whether pregnant women were required to work at night. It was also asked how many women were in paid employment and how many were housewives.

146. Members of the Committee asked about the Government's goals with respect to family planning, and whether family planning programmes were linked to women's health; further, if there was a contradiction between the goals of the Government and those of the programmes, members wanted to know how the problem was resolved. Information was requested on the levels of infant and child mortality and the situation regarding sanitation and access to safe water.

147. Another member asked whether there were any programmes to promote employment opportunities in the rural sector, especially to facilitate access to national markets for goods produced by rural women. Noting that the organization of seminars for rural women had led to the establishment of many women's organizations, a member asked about the functions, titles and actual roles of those associations and the effectiveness of the follow-up given to the initial seminars.

148. Regarding the Fundamental Law, a member of the Committee requested details on whether it permitted women to conclude contracts and to choose their place of residence.

149. Members of the Committee requested information on the role of women in the family. Inquiries were made about the incidence of early pregnancy and what measures had been adopted to alleviate the situation.

150. More information was asked in connection with the laws governing marriage and divorce, the administration of property, the sharing of parental reponsibilities, the situation of de facto union, children born out of wedlock and the disposal of property in case of the dissolution of marriage. More information was requested in connection with the social status of divorced women and widows, and their children.

151. In replying to questions posed by the Committee, the representative gave a brief historical and geographical overview of Equatorial Guinea.

152. She provided details on the structure and functions of the Department for the Promotion of Women. Created in 1980, it had been an autonomous body under the auspices of the Ministry of Labour and Social Security since 1982. The budget for the Ministry was 60 million CFA francs, but more complete details would be sent to the Secretariat later. Studies undertaken by the Department on the problems encountered by women in Equatorial Guinea had resulted in the development of a programme of information and training for women. Seminars providing information to women on all aspects of health and their civil and labour rights had been held in 1983, 1984 and 1985. The seminars had been extended over the whole country in 1986. The training workshops held in 1987 were oriented mainly to income-generating activities and the preservation of food. As a result, women had established their own small-scale enterprises in the urban areas and agricultural associations in the rural areas. National and international markets were used for the sale of their products.

153. She noted that persons who violated the articles of the Convention could be prosecuted and, depending on the gravity of the case, fined up to 500,000 CFA francs. The monitoring of the Convention was the responsibility of the Department for the Promotion of Women and the Ministry of Territorial Administration and National Security. Publicity had been given to the Convention by seminars, conferences and the media.

154. The Government was not aware of the existence of prostitution in the country, but it would be considered a crime for which the individuals who practised it would be held responsible and punishable by fines.

155. She noted that the Constitution provided for equal rights and opportunities for women in all areas of public life and they had equal rights to vote, to be elected and to perform public functions.

156. The representative stated that 50 per cent of the personnel in health and education were women. Statistics showed that the number of women appointed at the decision-making levels had improved but was still very low. In 1982, there were two women parliamentarians; in 1986 that figure had increased to four and currently there were eight women among the 60 parliamentarians. In the 18 provinces of the country there were five mayors, one woman was the government delegate to the central district and two were ministers; three women were members of the Central Committee of the Democratic Party and one was an adviser to the President on social and health issues. There was one woman ambassador in a posting abroad, one in the Supreme Court of Justice and several women were chairpersons of rural councils, traditional chiefs and advisers on the status of women. There were no women in international organizations.

157. The representative stated that a woman could acquire the nationality of Equatorial Guinea upon marriage and would not lose it upon marriage to a citizen of another country.

158. The Department for the Promotion of Women had developed an education programme in order to combat the high rate of illiteracy among women. The programme, however, could not be implemented as it was not in the mother tongue of the women to whom it was directed.

159. Co-education existed at all levels of education and the qualifications required for scholarships were equal for men and women. The representative reported that there was no university in Equatorial Guinea. There were various vocational training centres administered by the ministries of education, health and labour, and the Department for the Promotion of Women had a centre for the social promotion of women.

160. In Equatorial Guinea, maternity and children from conception onwards were considered sacred and thus protected under the Constitution. Full protection, under the Constitution, was also accorded to protect the mental and physical well-being of minors to ensure their normal development. The law did not prevent adolescent mothers from returning to school; however, strong religious traditions meant that they were considered an embarrassment to their families, which resulted in the majority of them not resuming their education. The Department had recommended to the Government that all secondary-level education and vocational institutions should be forced to accept adolescent mothers. Consequently a programme was being developed to include sex education in the general educational curriculum. The Department had organized a campaign to educate parents to accept and understand the situation of adolescent mothers.

161. No data were available on unemployment in the country. The Constitution provided for equal pay for work of equal value. Twelve weeks of maternity leave were mandatory, which could commence at the seventh month of pregnancy, upon certification.

162. Despite the economic situation of the country, some child-care facilities had been established but they were not sufficient to meet the needs of working women and adolescent mothers. A centre for maternal and infant care had been established with funds from the United Nations Fund for Population Activities.

163. The health and education campaigns had greatly reduced the rates of infant and maternal mortality. The development of strategies for primary health care and the improvement of sanitation was one of the primary objectives of the Government in the coming years. The family planning project, elaborated by the Ministry of Health, provided advisory services for couples who wished to plan their families in an effort to reduce infant and maternal mortality rates. Abortion was not permitted but contraceptives were available.

164. A national committee on AIDS, in which the Department for the Promotion of Women participated, had been established, and an information campaign had been mounted in all educational centres, hospitals, public places and work places.

165. The media had been used by the Department to disseminate information and to promote awareness of women's rights in rural areas but success had been limited owing to the amount of time rural women had to spend cultivating the land.

166. The Constitution accorded equal rights to women in general, as well as in the employment sector. Women could freely enter into employment contracts. All persons had the right to move freely within the country and to choose their place of residence.

167. The Constitution contained a provision that a person must be over 18 years of age in order to marry. The Constitution protected all marriages contracted in accordance with the law. Marriages had to be dissolved by the same authority under which they had been contracted. Under civil or common law, divorce did not preclude remarriage. Property was distributed in accordance with the Civil Code and traditional practice.

168. Upon the divorce of their parents, children under the age of five traditionally stayed with the mother, and older children were given into the custody of their fathers.

Nicaragua

169. The Committee considered the initial report of Nicaragua (CEDAW/C/5/Add.55) at its 137th and 139th meetings, on 23 and 24 February 1989 (CEDAW/C/SR.137 and 139).

170. The representative from Nicaragua, in introducing the report, said that it should be considered in conjunction with the information in her introductory statement. The report before the Committee had subsequently been updated but that version had not arrived. Her introductory statement described the historical background of women's role in Nicaragua throughout its changing history and presented an analytical and critical review of the constitutional laws and practices of Nicaragua in the context of the Convention. The representative stressed the rights guaranteed in the Constitution and the contradictions that existed in the Civil, Penal and Labour Codes in force in the country.

171. The representative stated that the situation of women was synonymous with the history of Nicaragua and its struggle for freedom. In their fight for emancipation, women had not only tried to liberate themselves, but had also tried to change the social, political and economic structure of Nicaraguan society. The revolution of July 1979 had placed them in a new context, presenting new perspectives for their emancipation. The representative emphasized the difficulties that women faced in connection with the various developments that the country had been exposed to and the problems the war had caused in delaying the full emancipation of women.

172. The Committee noted its appreciation of the report and the comprehensive statement made by the representative of Nicaragua, as well as its clear identification of issues. The Committee expressed the hope that the Government would find further ways of continuing to improve the status of women through a speedy revision of the provisions in the Civil, Penal and Labour Codes that were not in full consonance with the Nicaraguan Constitution. It was asked to what extent women and women's organizations were seeking to have those Codes revised.

173. The Committee noted that there was a clear difference in the report between the existing legislation and the de facto situation. Noting that the report stated that any inconsistency between the articles of the Convention and administrative or legal regulations could be brought before a judge, a member of the Committee requested details of the major reform that would be necessary to remove such an

inconsistency and asked whether the Government was in a position to implement such a reform. Another member asked if any timetable had been established for such a new reform.

174. A clarification was requested of the inconsistencies found in the report in connection with article 129 of the Penal Code, especially concerning abduction and rape. It was asked whether any efforts were being made to reform those obsolete and discriminatory laws.

175. Regarding any inconsistency between the Civil Code and the Constitution, a member of the Committee raised the issue of whether, as the representative had implied in her introductory statement, women's groups could really have any influence on a judge's interpretation of the law when dealing with matters relating to the family and the roles of men and women within the family.

176. An observation was made that, in many countries, the rate of progress made by women in wartime was more rapid than afterwards. A question was raised concerning the number and influence of non-governmental organizations and other large women's organizations in the country, the extent of women's participation in the city councils (cabildos) and the number of women who occupied high professional posts in the army.

177. More information was requested by members of the Committee on women's movements in Nicaragua and how they co-operated with each other and on whether the Government helped them financially.

178. It was asked whether the Nicaraguan law provided for the prosecution of the male clients of prostitutes and whether there were programmes aimed at changing the attitudes of men towards prostitution and the exploitation of women. It was also asked whether anything was being done to provide training for alternative jobs for prostitutes and to deal with the problem of AIDS.

179. The Committee asked whether there were any women judges in the higher courts and what percentage of the high-level posts in Nicaragua were occupied by women.

180. Noting that the illiteracy rate had fallen from 50.3 per cent to 12.9 per cent, it was asked whether literacy training was confined to reading and writing or whether there were also remedial or supplementary educational programmes. A member of the Committee requested clarification of the percentage of women enrolled in various sectors of education.

181. The Committee sought clarification of the types of employment to which women were restricted, and the legal remedies that existed in the case of sex discrimination in employment in the public and private sectors.

182. Further information was requested on the reasons for forbidding advertisements for milk products in the mass media.

183. A member of the Committee inquired whether special day-care services, refuges and health services were available to protect children and communities from the deleterious effects of the war and to improve the health of the family.

184. Information was requested on any measures that had been taken to prevent or reduce the abuse of young girls and women, including domestic violence, sexual assault, alcoholism and drug abuse, and on the care of the victims of those social ills.

185. It was asked whether women who were being trained as health workers were encouraged to emphasize the need for good hygiene habits, clean drinking water and sanitation.

186. The Committee asked about the results of sex education campaigns and whether any statistics were available on their benefit to teenagers. It also asked what the youngest permissible age for motherhood was.

187. A member asked whether all women had a right to family planning services, and whether they were sponsored by the Government. It was asked whether the provision governing the right to life gave preference to the life of the foetus rather than to that of the mother. It was also asked whether there were any programmes to reduce the high rate of infant mortality and to improve access to supplies of clean water.

188. A member of the Committee asked for information on the process of agrarian reform and whether there were employment opportunities for women in rural areas. She also wanted to know the reasons for the increased movement of women to urban areas, especially since the report had stated that women in rural areas had played an important role. Another member of the Committee asked what had been done to encourage more women to cultivate the land and what particular measures had been taken for the benefit of women belonging to ethnic minorities. A question was asked about the impact of the war on women in rural areas and how women were coping with the disruption to their lives.

189. A member of the Committee asked about the extent to which men were ready to share parental responsibilities and domestic tasks.

190. A question was raised on how the new legal provisions were implemented in the case of women who were abused within the family and children who were ill-treated.

191. A member of the Committee requested information on how marriage could be dissolved by mutual consent and unilaterally, and whether that meant that the partners could abandon the relationship without provision for complying with their responsibilities towards each other and their children. Information was requested on the disposition of property acquired during marriage, as well as details of the inheritance laws for women and children. Information was also requested on de facto unions, and their effect on the laws governing alimony, the distribution of property and inheritance, as well as on the status of children born out of wedlock.

192. The Committee asked for information on how the provisions for wives and children were enforced in the event of divorce, and what the rates for divorce and common-law marriage were.

193. In replying to the questions on the Constitution, the review of related codes and the position of the Government regarding such changes, the representative of Nicaragua replied that the main task has been the elaboration of the Constitution. The codes would be updated in accordance with the provisions of the Constitution.

As the Constitution had already been adopted, it would be used as a guide for the amendment of the codes as required by law. Already, a study on the new Labour Code was being prepared. The representative said that the fact that some references to women in the Penal Code could be considered discriminatory would be borne in mind because the Constitution had enshrined the principle of equality of all persons before the law.

194. The representative informed the Committee that women had participated actively in the preparation of the Constitution in two phases. The first phase had consisted of the collection of information at national and international levels, including the opinions of diverse political organizations and other relevant associations and the second phase had consisted of the preparation of the first draft of the Constitution incorporating all the information that had been gathered. Women had also participated in the national consultation on the draft Constitution and had organized city councils (cabildos) to obtain the opinion of women.

195. Regarding the request for information on the rape and abuse of women, the representative replied that the Penal Code provided for a sentence of between 6 and 12 years, particularly when the rape was considered to have been extremely cruel. An amendment of that rule was under consideration. She said that refuges or shelters for abused women existed in three regions of the country, which provided such women with counselling and psychological support.

196. Regarding the comment that had been made on the tendency, in times of peace, for the progress achieved by women during wartime to slow down, the representative stated that she shared that opinion. Women themselves were aware of that tendency and were trying to raise the general awareness of the work they did, of women's subordinate position and of the need for women to organize themselves to balance the unequal position of women and men. She referred to the active role that women had played during wartime, which had made women question their traditional roles and see the need to change their lives in accordance with reality. Training for leaders and technicians was being provided and day-care centres were being established.

197. In reply to questions about whether the positive measures that had been taken were on account of pressure applied by women, and whether the Convention would be used as a tool for introducing more programmes, the representative replied that the Nicaraguan Women's Institute would have to assume the responsibility for developing a programme to publicize the Convention. She added that it would be important to make all parliamentarians and members of the cabinet and judges of the Supreme Court of Justice and other relevant institutions aware of the Convention.

198. Regarding the situation of Indian women, who constituted a minority group, the representative said that there was a law that granted them autonomy. Accordingly, they were able to elect their own authorities and were free to decide on the administration of their own natural resources. They also had the right to regulate the ownership of their land. They were allowed to live in accordance with their own traditions and to preserve their art, language and culture.

199. Regarding the role of television and radio in influencing attitudes towards women, particularly in informing them of the progressive law, the representative said that a programme existed that was aimed at increasing women's knowledge of their rights. Furthermore, CONAPRO broadcast a women's programme that covered three regions of the country.

200. The representative stated that the Constitution prohibited prostitution. Only the procurer and the owner of a brothel were prosecuted, however. There was no provision to prosecute the male clients of prostitutes. She said that a major campaign on AIDS had been undertaken to prevent the spread of the disease, and a special programme for the media was under way to educate people about the dangers of AIDS, particularly for high-risk groups such as prostitutes and homosexuals. Only 14 cases of AIDS had been reported.

201. Regarding the percentage of women appointed to the High Court and involved in politics, the representative said that 28 per cent of the judges of the Supreme Court of Justice, 24 per cent of the members of the ruling party and 43 per cent of the members of regional committees were women. There were, however, no women in the national directorate of the party.

202. As regards illiteracy, the representative stated that there was a national campaign of volunteers to reduce illiteracy from 50 to 12 per cent. During a six-month period, 80,000 persons had participated, 60 per cent of whom were women. That programme had been followed up by an educational programme for adults. In reply to a question on the data on education presented in the report (CEDAW/C/5/Add.55), the representative stated that they referred to the distribution of students registered in the different levels of the educational system. The majority of the students were registered in the primary- and secondary-school levels.

203. The representative said that one objective of education was to provide an integrated training of all persons. Consequently, there was no difference between the access of men and women to free education. The statistics supplied indicated the registration figures of students. In 1987, 54 per cent of the 903,500 students were women. In primary education, 52.25 per cent of the students were women. In the basic cycle of secondary education, 63 per cent of the students were women, in the diversified cycle of secondary education, 67 per cent of the students were women. Women accounted for 48 per cent of the students in adult education. She indicated, however, that differences according to sex were apparent in the choice of professional and technical careers.

204. Regarding the request for more information on the participation of women in income-generating activities and recourse to legal action in cases of discrimination, the representative referred to the statistical data attached to her presentation, which would be included in the updated report. As for additional data on employment in the public and private sectors, she said that the data would be sent to the Secretariat later.

205. With regard to family planning, the representative stated that the Government was promoting a programme on family planning through the health centres and providing education on the use of contraceptives. She said that women had access to those centres but had no knowledge of contraception. She indicated that the programme had also been carried out through the print and electronic media. She said that vaccination campaigns had been undertaken to reduce infant mortality; no statistics were available, however, but they would be supplied later.

206. In reply to a question about the reasons for prohibiting advertisements for milk, the representative replied that a misunderstanding had arisen because she had meant that breast-feeding was to be promoted rather than the use of milk substitutes.

207. Regarding the impact of the war on women in the rural areas, the representative stated that it had tended to lead to the feminization of the rural sector since women constituted the bulk of the labour force. It had also led to the establishment of co-operatives among the workers and had meant that women had had to consolidate the roles they were called upon to play in those difficult circumstances.

208. In connection with agrarian reform and co-operative programmes, the representative said that a good legal framework existed for the implementation of co-operative programmes. Women, however, were still relegated to a subsidiary role and she attributed that to the influence of the traditional role of women and the authority of men within the co-operatives and that of the husband at home. She indicated that some difficulties arose when the title to the land was granted to the husband, following a dissolution of marriage, and the wife was left without land. Consideration was being given to that problem and additional information would be supplied in the updated report.

209. In connection with the request for clarification of the obligation for men and women to share housework, and the extent to which men were willing to share it, the representative said that the law on the relations between mother, father and children had established an obligation that domestic responsibilites should be shared, although it was difficult to enforce. The majority of men were not prepared to lose the privilege of coming home to rest, and women resented that situation, which was the reason why the legal provisions had been introduced. The existence of such a provision only enhanced the need to enact a new law for a new society.

210. Regarding the maltreatment of children, the representative indicated that, in general, everyone tended to protect children. There was a specific Central Trusteeship of Minors. A parent who maltreated a child might lose the rights to patria potestad, and other persons guilty of the maltreatment of children were deemed to have committed a crime.

211. Regarding the information requested on the unilateral dissolution of marriage, the representative said that a law outlined the procedures and requirements for such dissolution, specifically providing for the guardianship of the children, maintenance and distribution of the property.

212. The parent who became the guardian of the children had the right to keep the house if it had been acquired during the marriage. The subject of de facto marriages would be discussed in 1989 within the women's movement. De facto union was not regulated but the social security provisions recognized such unions by granting social security to the orphans and widows of such unions. She stated that during the previous three years there had been a high incidence of divorce.

Finland

213. The Committee considered the initial report of Finland (CEDAW/C/5/Add.56) at its 141st, 142nd, 145th and 146th meetings, on 27 February and 1 March 1989 (CEDAW/C/SR.141, 142 and 145).

214. The representative of the Government of Finland informed the Committee that a supplement to the report had been prepared to cover the latest events but was available in English only. The report and supplement reflected the current status

of women in Finland and described the Finnish initiatives for the implementation of the Convention. She reported that the period between the time of signing the Convention and the time of ratifying it had been six years. After signing the Convention in 1980, the Council for Equality had studied it with a view to assessing the legislative changes that would be required prior to ratification and those to be introduced after ratification. Prior to ratification, several acts had been amended or introduced. Those included the Child Custody and Right of Access Act, the Guardianship Act (amended in 1983), the Nationality Act (amended in 1984), the Surnames Act (introduced in 1985) and the Equality Act (introduced in 1986). She said that the Council for Equality had carried out a detailed study on discrimination in general and on employment in particular to bring legislation into line with the articles of the Convention. That had led to the submission of two bills to Parliament, one concerning legislation on equality between women and men and the other concerning the acceptance of certain provisions of the Convention. Finland had then ratified the Convention without reservations.

215. The Equality Act promoted equality and forbade discrimination on the basis of sex, with a view to improving the status of women especially in the area of employment. The Act forbade discrimination particularly in job advertisements, in working life and in all information on educational options. A victim of discrimination could seek compensation and, according to the Act, the authorities would intervene whenever the implementation of equality was obstructed. The Act provided for equal opportunities for women and men in education and professional advancement and both could be nominated to positions in the Government and on municipal committees. She explained that there was no gender distinction in Finland. The Equality Ombudsman, the Equality Board, which consisted of five members with judicial powers, and the Parliamentary Council for Equality all worked under the aegis of the Ministry of Social Affairs and Health to promote equality, provide co-ordination and monitor compliance with the Equality Act.

216. The representative gave examples of equality promotion in Finland and the problems encountered in implementing the measures that had been adopted after the ratification of the Convention. In the area of education, she said that women had a thorough general education and, in the 1980s, represented 60 per cent of the high-school graduates. In vocational training, women tended to choose fields that represented only a narrow sector of the spectrum of professions; it seemed that the choice of career was still influenced by the strict division of labour between the sexes. A government commission had proposed that a determined effort should be made at all levels of the educational system to promote equality in order to change that division. In the area of employment, studies clearly showed differences in remuneration between women and men and differences in their working conditions. It was found that the total working experience of women was only two years less than that of men; and that women changed professions and jobs less often than men. Studies had shown that the average earnings of women who worked full time amounted to only 78 per cent of those of men and the qualifications required for men's jobs attracted better remuneration than those of women. The share of part-time labour had not increased but more women than men worked irregular hours, such as shift work and part-time work. A study had shown that differences in remuneration between women and men increased considerably between the ages of 20 and 40 years and the position of women in the labour market was clearly weakened by the interruptions in their working careers and by family duties.

217. In Finland, the division of tasks in the home remained traditional although women had represented half the labour force for a considerable time. Women worked

full time and could go to work when their children were small. An equal society was considered, essentially, to mean equal responsibility and equal rights to leisure and enjoyment in all spheres of life. Various measures had been taken to ease the work-load of women, to encourage men to contribute to the care of children and to share in household work, and to enable women to reconcile family duties with working life. Some of the measures introduced to achieve equality in all spheres included municipal day-care services, an extended parental leave for which an allowance was paid, and shorter working hours for parents of very young children. For example, the Contracts of Employment Act had been amended in 1988 to allow employees to take partial leave of absence to care for children under four years of age who lived with them permanently. Partial child-care leave consisted of a reduction of working hours by mutual agreement between the employers and the employee. The problem remained, however, that women had a heavy work-load and men were unwilling or unable to make use of the social advantages that could be shared between mother and father. Women had become increasingly independent economically; they had higher expectations and demanded equality within the family. About 40 per cent of the fathers of newborn children availed themselves of the right to parental leave, but the majority took from 6 to 12 days of leave after the birth of the child and only seldom took a longer parental leave or child-care leave after the stipulated period for parental leave had expired.

218. It was reported that the provision in the legislation on working hours that had prohibited night work by women in industry had been abolished at the beginning of 1989, and that previous provisions had been replaced by legislation stipulating the maximum number of shifts that could be worked successively and providing for the removal of disadvantages suffered by women and men working on night shifts. A revision in the pension scheme, due in 1990, would recognize widowers as beneficiaries and more attention would be paid to the position of families with children and to the participation of both spouses in caring for the family.

219. Finnish women had been granted suffrage and had become eligible to vote in general elections in 1906, at the same time as men. Currently, women represented over 30 per cent of the membership of the Parliament but only 27 per cent of that of municipal councils. In Finland, no quota system for women had ever been applied to political bodies at any level and, as Finnish elections had been personal elections for decades, it had not been possible to use "long lists". The continuous increase in the participation of women in politics was attributed directly to women's active and extensive participation in society. An amendment of the Equality Act in 1987 provided that both women and men must be elected to all, and not some, municipal bodies. The objective was to attain between 40 and 60 per cent representation of both sexes. The stipulation was implemented for the first time on a larger scale at the beginning of 1987 and the equality authorities had distributed instructions to all municipalities on how equality in the distribution of women and men could be achieved. No data, however, was available on the extent to which the proportion of women in those bodies might have increased.

220. The representative reported on women's participation in trade unions and non-governmental organizations. Women's political and social organizations in Finland had contributed significantly to several reforms concerning social and family policies. The long and active participation of women was reflected in their considerable role in the trade union movement and, currently, women accounted for 48 per cent of the labour force and 50 per cent of all trade union members; the proportion of women in the executive bodies of the trade unions, however, did not reflect that level of participation. The division of the labour market according

to sex was reflected in the trade unions, where women represented 80 per cent of the members of central organizations for white-collar workers and 45 per cent of those for blue-collar workers. The representative informed the Committee that the trade unions of white-collar workers were organized mainly by women and their number in the executive bodies of other trade unions had risen in the 1980s. The fact that differences in remuneration had remained considerable had encouraged women to participate actively.

221. The representative drew the attention of the Committee to the national minorities in Finland. The report portrayed the position of women from the viewpoint of the dominant culture but there were also small numbers of Lapps, gypsies, foreigners and refugees in Finland. Refugee and alien women had founded an organization in 1988 and had participated in an inter-Nordic project on the status of migrant women. A special guidebook to aid such women was being prepared on the Finnish social security system, legislation and municipal services.

222. The representative said that the Council for Equality, founded in 1972, was a body in which various authorities and organizations co-operated that co-ordinated research on equality issues. The Council had the right to make proposals for the implementation of measures and programmes for the promotion of equality and one of its main tasks was to follow international developments in the field of equality. The Council reflected the political composition of Parliament and was elected by the Government for a maximum term of three years; the secretariat was permanent. In the 1980s, the main tasks of the Council were to study the country's obligations under the Convention and to accelerate the adoption of required measures. Its first official proposal was for a law on the prohibition of discrimination on the basis of sex in all aspects of working life, which had led to the passing of the Equality Act. The Council had published about 100 reports, studies, translations and publications dealing with women's studies and a quarterly journal of all equality authorities had been published since the beginning of 1988.

223. Under the Equality Act, all authorities, employers and those engaged in the field of education were obliged to promote equality actively. The equality authorities had given advice and instructions on the implementation of the obligations in practice; however, the problem remained that employers were not sufficiently bound by the Act to promote equality. The provisions of the Act were based on the general obligation not to place women and men in different positions on the basis of sex. Indirect discrimination was also forbidden. The practice of according bonuses on the basis of military service in the admittance tests for universities had been found to contradict the Act, as had that of not according to women on maternity leave study grants similar to those received by working persons. The ban on discrimination had been more clearly specified in the area of employment and, in particular, for the selection of applicants for jobs; most cases of discrimination referred to the Ombudsman had occurred in the public sector. The Equality Act provided for equal pay for work of equal value and 500 cases of non-compliance with that provision had been investigated in the previous two years. Co-operation with labour organizations and employers' organizations was essential as salaries and wages in Finland were settled mostly by collective agreements. It was also considered important to develop assessment criteria for work and tasks of equal value.

224. The representative referred to a special committee that implemented the Equality Act in public personnel administration, which consisted of representatives

of the employers and the trade unions. A number of municipalities had established equality committees to monitor the implementation of equality in various municipal sectors and to make proposals, including an equality plan.

225. The representative concluded her presentation with the observation that much still remained to be done in various sectors of Finnish society and there was a constant need to view the adequacy of the Equality Act in the light of legal practice and the resources provided for its implementation. Launching and maintaining co-operation between various authorities, trade unions and employer organizations was considered a vital task, as was that of changing people's attitudes. It was recognized that results could be achieved with legislation and official measures but that they would be inadequate without an active public opinion. The Finnish equality authorities had disseminated information on the work of the Committee and the Convention, the text of which was available in the national languages of Finnish and Swedish; the national reports to the Committee and its records had been made available to students and researchers.

226. The Committee commended the Government of Finland for its commitment and for submitting the initial report so promptly. The report had followed the guidelines and was of a high standard, being concise yet containing all the necessary information. The Committee appreciated the Government's recognition of the fact that much still needed to be done to improve the status of women in Finland. The action of the Government to present comments on the report in the supplement was commended and the Committee asked which interest groups had been contacted.

227. The Committee posed a number of questions of a general nature. It was asked whether the Council for Equality was legally autonomous, whether it had exclusive responsibility with regard to ensuring compliance with the equality laws and if it met regularly or on an ad hoc basis. It was asked whether its members were all women, whether they were jurists, whether they represented all political parties, and how they were elected and by whom. Details of the responsibilities of the Equality Ombudsman were requested and it was asked whether he was a civil servant or an expert. Data were requested on the representation of women at the ministerial and director-general levels and the reason for their low representation in the local authorities. With respect to the law on infringements against equality, it was asked who decided that an infringement had occurred and against whom action was taken. Details of the machinery set up to monitor the implementation of the equality laws and the budget for the equality bodies were requested and it was asked whether the budget had been increased to reflect the increased responsibilities of those bodies. Clarification was requested of the status of women's associations and the issues that had brought their members together, and it was asked whether the associations were decreasing since the Government had assumed the responsibility of ensuring equality.

228. The Committee asked how the Government measured the reaction of employers, employees and the general public to the Equality Act and, when opposition was raised, how the Government overcame it. Information was requested on whether the Equality Board had prevented any employers, once it had been proved that they had practised discrimination, from continuing with those practices. A more detailed definition of "indirect discrimination" was requested and how it was proved before the Court. The Committee was interested to know whether a woman could refer directly to the Convention if she had grievances or whether there were other remedies for discrimination. Although there had been an emphasis on statistics in the report, those statistics had not shown clearly whether women's contribution to

the economy by their work in the home had been included; information was requested on any studies or statistics that had been compiled.

229. Information was requested on municipal bodies as regards their budgets, composition, tasks and whether they were temporary or permanent. More details of the exceptional cases stipulated under the Equality Act were requested and, in particular, it was asked whether the provisions of associations to exclude one sex or the other were still in force and what the reactions of women's organizations to such provisions were. The report of Finland had referred to a comprehensive reform of the Penal Code and the Committee asked for more details of that reform. In particular, more information was requested on the reconsideration of the provisions regarding rape within marriage and on the discussion and public debate connected with that issue. It was asked if a third person could report a rape. The Committee asked if abortion was permissible under the law in cases of rape, both inside and outside marriage, and what the political and public views on that subject were. It was asked if there were provisions for prisoners of either sex to keep their children with them in custody. The Committee asked whether the sexual abuse of children within the family was considered a criminal offence, whether the number of such cases had increased or decreased since 1984, what protection was afforded to the victims and what had been done to study and discourage incest. It was asked whether the Government considered the existing penalties severe enough to deter incest and whether young female victims were given counselling or punishment or both.

230. More details of any affirmative action policies developed by the Equality Council, the Ombudsman or any other authority were requested and it was asked whether the setting up of equality councils in large companies was envisaged. It was asked to what extent and in what areas temporary special measures had been applied in Finland and whether they had been in force long enough for the results to be evaluated. It was asked whether such measures were also directed at men and whether there were any measures to encourage women to enter non-traditional fields of employment. The Committee asked for details of public attitudes towards temporary special measures and about the public demand for implementing measures in the public sector and asked if there had been any discussion on establishing numerical goals as opposed to fixed quotas in that sector.

231. The Committee requested examples of discriminatory advertisements and asked what the reaction had been to the report to which the representative had referred. It was asked whether the Government of Finland considered that sex stereotypes could be removed by education alone and whether there were any laws directed towards the abolition of sexist language. It was asked what the reaction of society was to fathers who took child-care leave. The Committee noted the existence of women's studies courses at the university level and inquired whether the professorships were full-time, permanent professorial posts, and whether the courses were confined to one discipline or were interdisciplinary. Details of the curricula of the courses were requested and it was asked whether the units followed could be included in other courses. The Committee asked for details of the budget allocated to women's studies courses. It was asked if the maternity packs (layettes) referred to in the report varied in accordance with the income of the mother. More information was requested on the organization and sponsorship of the family counselling courses. As Finnish men were also interested in the care and upbringing of children, the Committee found the high number of cases of incest surprising. Details of the amount of governmental support given to emergency accommodation for victims of violence were requested and it was asked how effective any special laws against domestic violence if they existed, had been.

232. As the report had stated that procurement for prostitution was an offence under the Penal Code, clarification was requested of the definition of procurement.

233. Information was requested on the amount of government funding provided for political activities, how the proportions were calculated and to what use the funds spent on supporting the political activities of women were put. Specific questions were asked on the number of women in Parliament and the areas in which women tended to be involved. Despite the laws, women remained underrepresented at the decision-making level and more details of the actual numbers and strategies established by the Government to improve the situation were requested. The Committee asked for data on the percentages of men and women who had participated in the last election as candidates and voters and whether there was a special fund to promote the participation of women in politics. More details of the training programmes to encourage women to enter new areas in international life and the results of those programmes were requested.

234. The Committee requested more details of the allocation of places at the intermediate level of education and of the results of the programmes in education, teacher training and sports. It was asked whether the recommendations of the various committees on education had been enacted and whether an analysis of textbooks had been conducted to determine whether they needed to be changed. Comments were invited on the effects of removing the quota on admission into teaching-training institutions; it was asked whether new guidelines had already been established and whether any difficulties were envisaged. It was asked whether women and men were admitted with the same marks and the reasons for the different system of points for entry. The Committee asked why the age of women graduates was higher if opportunities in education were equal and the drop-out rates the same for both sexes. Clarification of the reasons for the low number of women in science and technology was requested and whether they were related to traditional attitudes or the informal education received in the family. The increase in women university students over the last 20 years was not reflected in the number of women holding professorial or tutorial posts and the Committee asked what could be done to increase that number and which careers women university graduates preferred.

235. The Committee asked if the provision for an indefinite period of unemployment did not encourage mothers to assume sole responsibility for children. It was asked why the benefit figures had been quoted in United States dollars. Data were requested on the number and proportion of women unemployed in Finland and what action was being taken to retrain older women. More information was requested on the effects of new technology. Data were requested on the rates of youth unemployment and the numbers of young people that had stopped looking for employment. The Committee asked for data on the numbers of part-time workers of both sexes and their ages. It was asked if part-time workers had the same rights and status as full-time workers. Despite legislation, wage differentials were still considerable and it was asked if women accepted that situation and what measures were being taken to tackle the problem. The Committee asked whether the Government considered the equality bonus scheme, referred to in the supplement, to be a way of removing unequal scales of pay, and who distributed that bonus. The Committee asked if employers paid compensation when prosecuted for the violation of wage differential laws and what the Government was doing to combat sex segregation in the labour market. It was asked if any protective provisions remained in laws related to manual work that reflected women as being weaker and whether there were any other areas of work to which women did not have access.

236. The network of child-care facilities was commended and it was asked whether facilities other than those run by municipalities existed. The Committee asked how many fathers took parental leave, whether fewer of them took it because of the greater loss in wages and whether the parental-leave period was accounted for under the social security system. It was asked what proportion of parents chose to receive the home-care allowance in preference to using municipal day-care facilities and for what reasons, and what public attitudes to the facilities were. Details of the amount of the home-care allowance and the number of persons who were fully covered by collective agreements were requested. The Committee requested clarification of the term "comparable work" in the report for employees returning from parental leave and asked if the terms of parental leave did not discriminate against adoptive parents.

237. Information was requested on female-dominated work and it was asked whether any systematic evaluation had been conducted. The Committee requested a definition of the term "female farmers" in the report. It was asked if any studies on sexual harassment had been conducted. The Committee asked if the church was exempt from the Equality Act and how women entered the higher echelons of the church.

238. The Committee asked whether family planning in Finland was conducted only at health centres and whether sex education was conducted in schools. It was asked if there was any law allowing abortion, what the conditions and circumstances surrounding abortion were and what the reason was for the observed decrease in abortions. Figures on the number of illegal abortions were requested. The Committee inquired about public opinion on abortion and if there had been any debate on the subject about the methods that were used and whether abortions were performed only in hospitals or in day clinics as well. It was asked whether the reasons why abortions were required were related to the failure or inadequacy of contraceptives or to the cases of rape. More data were requested on infertility and it was asked if the research conducted was the same for both sexes. It was asked if any legislation and measures existed to avoid the abuse of women in artificial insemination, and what the attitude of the Government was. An elaboration of the proposals of the National Board of Medicine Working Group was requested and it was asked whether they covered the legal position of children conceived by artificial insemination. The Committee asked if health insurance covered operations to reverse previous sterilization operations, if that proved possible. The Committee asked how many AIDS patients had been identified in Finland and what campaign had been mounted to disseminate information and whose responsibility it was. Information was requested on the incidence of infant mortality in different regions.

239. The report of Finland had proposed that men and women should receive the same training in agriculture and the Committee was interested in the consequences of that proposal. It was asked if the status of rural women compared favourably with that of urban women. The Committee referred to reports that, in some cases, Finnish farmers had used agencies to find wives and asked whether there were any data on the incidence of such cases and whether there were counselling services or legal protection for such women, and what their roles on the farms were. It was asked whether a disaggregation of data on mistreated women was available for rural and urban areas and if any increase in their numbers had been observed. It was stated that the Farmers' Accident Insurance Act had been extended to include cooking when it was provided for the farm directly and the Committee asked for a clearer definition of that task and information on who undertook relief work on farms during maternity leave.

240. More information was requested on the League for Unmarried Mothers as regards its organization, function, and membership. The Committee asked what the average age of unmarried mothers was and what help they received from the Government. It was asked if there was any difference between divorce and the dissolution of a conjugal relationship. The Committee asked if the amended Marriage Act had had a positive impact in reducing the number of cases of violence in the family and whether women could apply to the court for divorce in such cases. The Committee requested data on the number of children adopted from outside Finland and the proportion of those adopted within Finland, on the countries from which the children came and on how successful the relationship was between the foster parents and the foreign children. Clarification was sought of the distribution of financial assets and property upon the breakdown of marriage and the rights of persons who were cohabiting with respect to property, maintenance and inheritance, and it was asked whether the children of such unions had succession rights.

241. The representative replied to the questions on general subjects posed by the Committee. The authorities for the supervision and observation of the Equality Act were the Equality Board and the Equality Ombudsman. The Ombudsman was a civil servant, appointed for a five-year term, and his functions were to examine cases to which the Equality Act could be applied and to disseminate information on equality legislation. The Ombudsman had no power to enforce the laws but was rather an investigator and adviser who could refer matters to the Equality Board, and up to then he had done so on one occasion. The Equality Board could bring an action against anyone who had acted contrary to the equality laws. The Board was composed of lawyers, including both women and men, who were appointed by the Government for a three-year term. Currently, four women and one man were members of the Board. The competence of the Equality Board and the Equality Ombudsman covered private activities and public administration. The Equality Board had made six statements in cases where it seemed that discriminatory action had been taken. The courts were not bound by the Board's statements and had rejected two of the cases. The Equality Board and the Equality Ombudsman operated under the aegis of the Ministry of Social Affairs and Health and there was no other division or unit to handle equality matters. The Office of the Equality Ombudsman was independent.

242. A distinction was made between the Equality Ombudsman and the Parliamentary Ombudsman, who supervised the observance of the law by public authorities in general. The competence of the Equality Ombudsman was based only on the Equality Act but it could also extend to cases in the private sector. The Parliamentary Ombudsman could not intervene in issues between individuals and private associations or organizations.

243. The Council for Equality was composed of 13 members and their personal alternates. The members were both men and women and reflected the political composition of Parliament. The Council was a policy-making body with the right to make proposals, introduce new items for discussion and co-ordinate equality issues. The representative informed the Committee that the Council's opinion on women entering the military service was negative as it considered that military service was not a fundamental human right. Furthermore, she said that civilian jobs within the defence administration and the entire spectrum of administrative posts should be widened and equality promoted in that way. The long-term projects of the Council for Equality included strategies to increase the influence and participation of women in policy-making regarding the labour market, the impact of new technology and equal pay, and in the co-ordination and promotion of women's studies. The projects also included the promotion of women in development and

bringing social pressure to bear on the need for men to change their roles. About 100 persons were involved in the work of the Council, which met once a month in plenary, as well as in ad hoc working groups. The permanent secretariat consisted of a general secretary and four research officers. The budget of the Council of 280,000 markka in 1989 was borne by the Office of the Equality Ombudsman.

244. The representative clarified one of the four exceptions to the provisions of the Equality Act by explaining that, in Finland, the principle was that no one had the intrinsic right to be a member of an association, but rather that associations had the right to decide who would be accepted as a member. According to the Finnish legal system, it was not possible for an individual to refer directly to the Convention in court and the necessary amendments had been made to the legislation before Finland had ratified the Convention.

245. The representative reported that a complete reform of the Penal Code in Finland was being prepared, one part of which would include new sanctions against discrimination in working life. It was assumed that the principle of rape within matrimony would be critically re-evaluated in the reform. In cases where rape was punishable under the Penal Code, the decision to bring the case to court was made by the victim herself but that provision, too, would probably be re-evaluated. The decision to have an abortion was for the woman concerned to take and cases of rape in matrimony were not punishable under the Penal Code.

246. In the supplement to the report, reference had been made to the fact that comments had been collected from almost 80 interest groups. Those groups included all the political parties and their women's organizations, student organizations, women lawyers and groups of ethnic minorities. Their statements had been taken into account in preparing the supplement to, and the introduction of, the report.

247. The representative reported that 350 cases of incest had been reported between 1983 and 1984 and that the subject had only recently become a matter of public discussion. According to the Penal Code, incest was considered a serious crime, with sanctions of 2 to 10 years' imprisonment. There was an Ombudsman in Finland dealing with children's matters who could be contacted about cases of incest, and the social welfare authorities assisted the victims of incest and worked in co-operation with the police. According to the law, a child under two years of age could live in a penal institution with its mother, if that was to the advantage of the child and if the mother herself requested it. There were no corresponding provisions for young children of male prisoners to live in penal institutions with their fathers.

248. The principles of article 4 of the Convention on temporary special measures were included in the Equality Act in which they were termed equality plans. In discussions on the Equality Act, questions had been raised as to whether the temporary special measures were not contrary to the Constitution and its provisions to ensure the equality of citizens. The Ministry of Labour arranged vocational training courses for adults, mainly in the industrial sector, and was undertaking a project to improve the position of women in male-dominated areas. The Ministry of Trade and Industry held special courses for businesswomen in small or medium-sized businesses. Elderly women had poorer vocational training than men, whereas younger women had, by all standards, better educational and vocational training than men.

249. The representative informed the Committee that child-guidance clinics had been available since 1925 and over 80 per cent of the population had used them. The

clinics were run by local health authorities and they arranged special maternity and paternity training courses whose main purpose was to emphasize that the responsibilities for child care were equal for men and women. Men were also encouraged to support women during pregnancy and nearly 80 per cent of first-time fathers attended the delivery. Victims of family violence were mostly women and children but also elderly people. The shelters for the victims were run by various social organizations and supported financially by the Government and the municipalities. The maternity packs were given to all women, regardless of their income or property. Each pack consisted of clothes and equipment for the child, as well as contraceptives, and it was valued at double the amount of alternative financial assistance. The pack was available to Finnish mothers who were resident in the country or abroad and to foreigners who were permanently resident in Finland.

250. The Finnish language did not contain sexist terms but 200 professional titles included the word for "man" and those would be amended to become neutral in gender. Recent studies by Finnish female linguists had also revealed sexist features in Finnish and the new edition of the dictionary that was being prepared would take them into account. With regard to discriminatory advertising, the Government recognized that the concept was important but had experienced difficulties in finding the most effective means of making advertising non-discriminatory. Legislation on advertising had its merits, especially with regard to sanctions and the competence of the authorities, but experience with the prohibition on advertising tobacco and alcohol had motivated the Government to put the onus on the advertising sector itself.

251. The representative said that statistics were not available on cases of prostitution and that prostitution was not defined as a crime in the Penal Code. Studies on prostitution were being financed by the Academy of Finland and were concentrating on the circumstances under which the phenomenon occurred and the clientele. Procuration and maintaining premises for the purpose of prostitution attracted penalties against persons other than the prostitute.

252. In response to questions posed on the political influence of women and women's organizations, the representative said that at every municipal and parliamentary election the proportion of women candidates had increased and so had the proportion of women elected. In the last parliamentary election in 1987, the proportion of women voters had been higher than that of male voters; the proportion of women candidates had been 36 per cent, of whom 31 per cent had been elected to Parliament. The lower proportion of women in municipal councils was explained by the fact that voting patterns in rural areas were more traditional than in urban areas. In some municipalities, voluntary equality commissions had been appointed by the municipal board of directors to investigate the status of women within the municipality, particularly in regard to the social services provided to families and the position of women as municipal workers. At the municipal level, political and non-political women's organizations worked together to promote equality plans in their home towns. At the national level, co-operation between the women's organizations had increased and, in 1988, all the women's organizations had formed a new co-operation committee with the objective of strengthening and promoting co-operation between women in the field of international relations and Finnish development policies. In general elections in Finland, a quota system did not exist and the only way to raise the number of women elected was by increasing the number of women candidates. Members of the governmental and municipal commissions were appointed and a target of 40 to 60 per cent representation of both sexes had been set, but there were no sanctions if the commissions did not meet that target.

In recent years, the number of governmental committees with no women members had diminished. Within the political parties, women had demanded that their share in the decision-making level should correspond to the proportion of their membership in the parties.

253. In education, the hierarchy in schools reflected that of society as a whole; the headmasters and higher administrators were men. The existence of separate teachers' training colleges for men and women was based on the fact that there were separate educational facilities in schools for sports and handicrafts. Teacher training was currently part of university education and there was a provision that 40 per cent of the places should be reserved for men. The main purpose of such a quota system had been to ensure that an equal number of men and women would be in contact with the pupils but that goal had not been achieved. As stated in the report, male students entered teacher training with lower grades than women. The failure of the quota system, together with the decisions of the Council for Equality and the Equality Ombudsman that quotas were not in accordance with the equality laws, would soon lead to the abandonment of the system. Instead of quotas in all educational fields, the Council for Equality had set goals for the distribution of students according to gender and information campaigns were being used to achieve those goals. Strategies to fulfil equality requirements between the sexes in the educational system were being prepared and attention had also been given to sex stereotypes in both the text and pictures of textbooks. In the Finnish school system, the family courses contained education on sex.

254. The representative responded to questions on women in the labour market. She said that sex segregation was a constant phenomenon that had not changed much in the last 30 years. Two thirds of all public employees were women and more than half of those using new technology in their work were women. The average number of working hours a week differed between the sectors from 37 hours per week in many female-dominated areas to 40 hours a week in the male-dominated sectors. Only 11 per cent of women workers were employed part time for 20 to 30 hours a week; but the majority of part-time workers were women. The annual leave for part-time employees was determined mainly by the provisions of the Annual Leave Act. The pension of part-time employees increased proportionately.

255. The representative said that separate wage scales for men and women were abolished when Finland ratified the Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value (No. 100), which had been adopted by the International Labour Organisation in 1951. Equal pay was considered a broad issue where many problems had yet to be solved, such as the re-evaluation of women's work, the development of methods to measure the comparable worth of different jobs, the abolition of the segregation of men and women and the promotion of women in employment. Wage differences could be explained in part by the structure of education, the work experience of the employee and the ability of the sector to pay wages. The labour market partners acknowledged that gender was a factor that determined pay and, in 1988, a special equality bonus had been introduced. In Finland, wages and many social reforms were settled by collective bargaining, the essential factor of which was the bargaining power of the parties. As women formed a slight majority of unionized wage earners, it was considered that, increasingly, equal pay would become a central part of the bargaining process. An employer who violated the rule of equal pay for the same work or work of equal value could be brought to court by the discriminated employee. The court would then decide whether the employee had the right to equal pay. The Equality Ombudsman could apply to the Equality Board to prohibit the employer from continuing with the discriminatory action.

256. The traditional notion that women needed special protection in employment because they were weaker than men had been removed from legislation by the Labour Protection Act of 1958 and the Occupational Health Care Act of 1979. An employer could be asked for a written report in cases of suspected discrimination without any reason for the request being given. When claiming for compensation, claimants had to prove in a court that they were more qualified than the persons who had been selected for the jobs. The term "comparable work" was included in the legislation to cover cases of employees returning from maternity, paternity or parental leave, as that leave could last for longer than one year and their former posts might no longer exist on their return. Finland was among the first countries to study how the value of unpaid work could be reflected in the national economic statistics. The preferred term was "total working hours", which included paid and unpaid working hours; time-use studies were considered the most accurate way of showing the labour input of men and women. The Central Statistical Office in Finland had begun a study on the use of time even though there was, internationally, no generally accepted method for evaluating unpaid work.

257. In response to the question posed on sexual harassment, the representative said that the New Protection of Labour Act had come into force in 1988 and it was evident that the need for protection concerned the female-dominated sectors of employment in particular. Sexual harassment was considered a matter that related to both health and sexual discrimination. The Council for Equality had conducted the first study on sexual harassment two years previously and the equality authorities had recently launched an empirical project on sexual harassment in the work place. The traditional reticence of Finnish women hindered the acknowledgement of the hidden phenomenon but it was being discussed publicly.

258. The representative said that municipalities were responsible for organizing day-care services for children, as well as other social and health services. Municipal day-care services consisted of both family day care and kindergartens. The Government had established minimum standards for day-care facilities and subsidized part of the costs of them according to the financial resources of the municipality. Each municipality could decide whether it should organize the system itself or hire organizations for that purpose. She said that parents trusted the quality of the municipal day-care system, the prices of which were lower than those in the private sector, and it was reported to be very popular. Only 5 per cent of the kindergartens were private and many children, particularly those under the age of three, were cared for in the family. The new system gave parents of children under the age of three a choice between a municipal day-care place or a home-care allowance. By 1 January 1990, all municipalities would be under a legal obligation to provide day-care facilities for there was still a shortfall in places. The representative was confident, however, that the demand for day care would be met.

259. The representative said that following the new Abortion Act of 1970, the number of abortions had decreased. Services were available throughout the country and illegal abortions hardly existed. Despite sex education at schools and the availability of contraceptives, there were still occasions when abortion was the only solution.

260. The representative reported that the exact number of drug abusers in Finland was not known but drug abuse was not considered a serious problem. There were treatment programmes and centres for drug abusers. Finland had just signed the United Nations Convention Against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances, adopted in 1988, and did not need to change its internal

legislation to meet the requirements of the Convention. The number of reported cases of persons with HIV antibodies was 243, of whom 30 were women, and there were 41 confirmed cases of AIDS. The population of Finland was almost 5 million. The Finnish National Board on Medical Affairs had carried out information campaigns on AIDS. Charges for insemination and other hospital treatments were reimbursable under the social security system. New legislation was being prepared by the Ministry of Justice and one of the main problems encountered was that of determining whether a child should have the right to know the identity of its biological father.

261. The representative said that the authorities did not have exact information on cases in which partners for marriage were sought through agencies operating abroad; according to estimates, most of those partners came from the Philippines, Thailand and the Union of Soviet Socialist Republics.

262. The representative reported that relief workers on farms standing in for workers on maternity leave were financed by the municipality, which was obliged to provide such a service, the costs of which were borne by the Government.

263. In response to the questions on domestic violence, the representative reiterated that there were few studies or exact statistics. In most cases, the victims were women and children. The abuse of alcohol was cited as the main reason for domestic violence and sometimes the women resorted to divorce, although family counselling services were available. The reform of the Marriage Act had abolished regulations that required that the guilt of the other spouse had to be proved and it was too soon to conclude if the reform had had any effect on family violence.

264. Under the Inheritance Act of 1965, children born in or out of wedlock were entitled to inherit from both parents. Children born out of wedlock were entitled to the allowances from the father that had been agreed between the parents under a court order. Child maintenance allowances were paid in cases where the person liable failed to pay the allowance.

265. The Adoption Act regulated both national and international adoptions. All adoptions required an order of court, which confirmed a child's legal status in respect to its adoptive parents. Adoption counselling was compulsory in Finland and it was provided by the welfare authorities or specialized organizations. Leave for an adoptive mother was shorter than maternity leave as an adopted child was usually at least two months old. The number of adoptions of children from abroad was 11 in 1985, 22 in 1986, 45 in 1987 and 55 in 1988. The children came mainly from Africa, Latin America and the Far East. The figures for domestic adoptions were 376 for 1985 and 303 for 1986.

Belgium

266. The Committee considered the initial report of Belgium (CEDAW/C/5/Add.53) at its 143rd and 146th meetings, on 28 February and 1 March 1989 (CEDAW/C/SR.143 and 146).

267. In her introduction, the representative of Belgium said that her country had guaranteed women and men equal rights in all fields during an economically difficult period even before the ratification of the Convention. The most important measures taken to promote and achieve equality were, besides its enshrinement in the Constitution, the setting up of advisory commissions and the

creation of the Secretariat of State for Social Emancipation, which was attached to the Prime Minister's office. The Secretariat of State had undertaken several studies, launched awareness campaigns and organized competitions in order to encourage girls to study non-traditional subjects and to practise non-traditional professions. The concept of positive action had existed since 1978 but had not taken legal shape until the creation of the Secretariat of State and a positive action support team under the Ministry of Employment and Labour. Whereas positive actions were voluntary in the private sector, they were imposed by law in the public sector. In order to promote positive action, enterprises had been given a practical guide and many of them had concluded agreements with the Secretariat of State under which they committed themselves to giving women equal opportunities.

268. The representative stated that women were very poorly represented in public and political life at all levels and that a campaign had been organized recently to raise the awareness of the population to the important role that women should play in politics.

269. Although education was free for all persons, it did not preclude de facto inequality, and women were not proportionally represented in all fields of employment. She said, however, that a gradual improvement had been observed. A change in the discriminatory position of the spouses of farm operators was imminent, and the earnings of spouses were treated separately for tax purposes since the enactment of a law in December 1988.

270. No statutory discrimination existed between Belgian and foreign women, although the wives of immigrants were often disadvantaged.

271. One of the priorities of the Secretariat of State for Social Emancipation was to combat violence against women and children through scientific research, information campaigns and co-ordination efforts. The objective was to publicize the facts, abolish taboos, prevent further occurrences, receive and assist victims and create a link between all the bodies concerned. Furthermore, a draft law on the crime of rape was under consideration. In order to decriminalize abortion, five abortion bills were currently under discussion in Belgium.

272. The members of the Committee expressed their appreciation for the comprehensive report and the additional information given in the oral presentation and noted, in particular, the collective agreements in the private sector, the many legal intitiatives that had been taken by the Government to implement the Convention and the campaigns to promote awareness. They also noted, however, the lack of sufficient statistical data in the report and hoped that such data could be given in the replies or in the second periodic report. Some members said that it would have been preferable for the information in the report relating to the different articles of the Convention to have been separated.

273. With regard to the reservation made to article 7 of the Convention, one member asked about the attitude of the female members of the royal family and the extent of the powers of royalty in equality matters. It was asked whether royal ordinances had the force of laws and whether the King was able to influence royal ordinances. Other members asked whether the State intended to withdraw its reservations regarding article 15, paragraphs 2 and 3.

274. It was asked in what way the Government used the Nairobi Forward-looking Strategies for the Advancement of Women 12/ to put into practice the principles of

equality between women and men. Further information was requested about the Secretariat of State for Social Emancipation, its staff, its budgetary allocations, its organization and the decisions it reached. Members inquired about the extent to which the many laws that had been promulgated recently promoted equality. An explanation of the hierarchy of legal command was sought. It was asked whether, in Belgium, it was international law, the Constitution or the Convention that prevailed.

275. As regards the many national mechanisms for the advancement of women, it was asked whether the number could be considered as positive and whether it would be reduced in future. It was also asked whether the many commissions were non-governmental organizations in an advisory capacity, whether their responsibilities overlapped, whether they had separate budgets, whether the courts asked for their assistance, whether they initiated amendments to Belgian legislation and what their relationship to the Secretariat of State for Social Emancipation was. Questions were raised as to whether the Commission on the Employment of Women was empowered to deal with matters relating to discriminatory treatment and unequal pay, and it was asked what impact the Ministerial Commission on the Status of Women had made, and how often the Prime Minister presided over its meetings. Information was requested on how easy it was to set up advisory commissions concerning matters of equality.

276. Further information was requested on the indirect discrimination mentioned in the report and on action planned by the Secretariat of State for Social Emancipation to prevent it.

277. It was asked whether discriminatory advertising was banned, what was being done about the advertising of toys and to prevent advertising using sex stereotypes in the media.

278. One member of the Committee inquired about the impact of the rulings by the Supreme Court of the Judiciary and the highest administrative Court that the provisions contained in the Constitution prohibited all discrimination based on sex. Another member asked how often cases of violation of the equality of both parents were brought before the Juvenile Court and what the Court's rulings were. It was asked whether rape between spouses was considered a crime under the new draft law and whether proceedings could be initiated by the Public Prosecutor. Considering that the new definition of rape was very far-reaching, a member asked whether there was public opposition to the draft.

279. Further information was sought on the influence and effects of the measures initiated by the Ministry of National Education, such as the distribution of audio-visual material and school manuals to make youth aware of stereotyping based on sex. Members of the Committee inquired whether the major religion in the country constituted a hindrance to the efforts of the Government to promote equality between women and men.

280. Regarding the affirmative action programmes, it was asked whether a quota system had been introduced and, if so, why the number of women in political life was still low. A member of the Committee inquired about affirmative action programmes regarding the equality of treatment between women and men in economic life. Concerning affirmative action in the public sector, it was asked how the plans were drawn up and what the sanctions were in the case of non-compliance. Clarification regarding the affirmative action measures was requested and it was

asked what the effects of their introduction in the civil service had been. It was asked whether any efforts were being made to increase the number of women in areas such as the armed forces, the police and the railway service. Information on the role women played in the army was requested. One member asked who funded the experts sent by the Government to private companies to monitor their compliance with affirmative action programmes, and what the sources of training were. Clarification was sought as to why the non-existence of a law prevented the implementation of temporary special measures in Belgium.

281. Members requested that, in subsequent reports, abbreviations should be avoided and the names of political parties spelled out. Details were requested of the membership and interests of the 250 women's associations referred to in the report, and it was asked how they worked together and how the co-operation between them and the various commissions functioned.

282. The Committee expressed its appreciation for the information provided in connection with violence against women and the measures that had been undertaken. It was asked whether any research had been undertaken to find out the causes for that violence, whether anything had been done to assess the results of the measures, and whether female victims of violence received support from the Government.

283. Members of the Committee suggested that measures for the elimination of prostitution might be undertaken. It was asked whether the Secretariat of State for Social Emancipation was dealing with the problem of prostitution and, if so, what measures had been undertaken so far, especially in view of the fact that Belgium had ratified the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, adopted by the General Assembly in 1949. It was also asked whether the Belgian Government had taken a stance in the matter of prostitution, considering the prevailing attitude that prostitution contributed to the spread of AIDS.

284. Further details were requested on the seemingly contradictory statement in the report that women achieved good results in the parliamentary elections but that they were not sufficiently strong in the various parties. Further elaboration was requested of the statement in the report that women's organizations must organize themselves so as to bring pressure to bear on their political parties.

285. Questions were asked about steps to remove sex stereotyping from school textbooks and curricula and the number of single-sex schools, and it was asked whether the curricula of those schools were similar for boys and for girls and whether there was a tendency to maintain single-sex schools in view of the discussions in other countries about the negative effects of co-education on some age groups. One member of the Committee asked whether illiteracy existed in Belgium. Another member inquired whether there was a connection between the number of girls and boys registered in primary, secondary and university-level education, disaggregated by gender and occupation, and the number of women in non-traditional jobs. The question was raised whether girls should be encouraged to choose feminine or masculine careers and whether the choice of a typically masculine profession put women in a higher wage bracket. It was asked whether seminars for teachers were held at all levels of education. Members wanted to know which educational institutions the members of the royal family attended, and whether the school curricula were the same in the French and Flemish sectors of the country.

286. Several members of the Committee requested statistical data on unemployment, disaggregated by gender and age group, and on the number of women working part time. One member asked whether any action programmes ensured that a minimum number of women were employed. Others asked whether laws provided for the establishment of gender-neutral criteria for equal pay. Data on the wage discrepancies between women and men were requested, as well as on studies in related fields. It was asked further whether any remedies had been recommended to remove the discrepancies.

287. Members asked whether legislation existed, or was envisaged, to combat sexual harassment in employment. It was also asked whether the question of a uniform age of retirement for women and men had been settled. It was asked whether men took paternity leave and whether there were sufficient child-care facilities. It was asked whether and for what reasons Belgium still maintained the prohibition of night work for women. Members inquired about the amount of remuneration women received during maternity leave.

288. Concerning the Civil Code, article 216, paragraph 1, under which it was possible for one spouse to prohibit the other from practising a profession in certain circumstances, information on specific cases was requested. It was asked whether that provision did not constitute an obstacle to ensuring equality in the labour market and what the reasons for it were.

289. Data were requested on the number of illegal abortions in the country and abroad. Information was sought on the attitudes of the women's movement towards abortion. It was asked what the sanctions for women who had abortions were and under which conditions abortion was permitted. Members wondered how it was possible to prohibit abortion and yet not provide easy access to contraceptives, and what was being done to prevent clandestine abortion. It was asked whether any laws existed in connection with the new medical techniques in human reproduction, and whether measures had been taken to protect the rights of women who had contracted infections through those techniques.

290. Details were requested about any action that might have been taken to improve the situation of farm operators' wives, who had no professional status.

291. Members of the Committee inquired about the minimum age of marriage for women and men, the possibilities of obtaining a divorce by mutual consent and, in view of the reference to concubines in the report, whether polygamy was practised in Belgium. A member asked whether adultery was a criminal offence and whether it would be abolished as grounds for divorce.

292. It was asked whether there were any plans to remove the discriminatory provisions concerning the family name of married mothers and of children born out of wedlock. Information was sought on the rights of children born out of wedlock. A further question referred to any possible problems that were encountered by the minority group of migrant women when submitting applications for marriage.

293. In reply to the questions and comments made by the members of the Committee, the representative of Belgium noted that, as Belgium was a democracy, its laws were voted on by the Parliament and reflected the wishes of the majority of its population. The Government initiated changes by persuasion rather than force and for that reason, it emphasized affirmative actions. The representative said that her country's reservation to article 7 was still valid, but its reservation to article 15 was purely theoretical, as it had been based on transitional measures

that had ceased to have any effect. Despite the existence of a law, passed in 1976, giving spouses the legal capacity to manage their properties equally, couples who wanted to adhere to it had to so state before a notary within one year. No one, however, had made use of that right. Since 1977, the equality of matrimonial property rights had been established for both spouses.

294. As regards the hierarchy of legal authority, the representative explained that, in Belgium, international legal norms were enforced by the State, the communities or the regions by laws or decrees. International conventions directly affected the State concerned and the internal legal system.

295. The representative explained that the Advisory Commission on the Status of Women had been dissolved in December 1985. All the other commissions had distinct roles, as spelled out in the instruments that had established them. They could give advice only to the Minister to whom they were responsible. In order to avoid overlapping, the Secretariat of State for Social Emancipation summoned regular meetings of the presidents of the commissions, and all activities of the commissions were monitored by representatives of the Secretariat. The annual reports of the activities of the commissions showed that many laws were initiated on the basis of advice given by the consultative commissions. The competence of the Ministerial Commission on the Status of Women included the measures that had to be taken to ensure the equal treatment of women and men. As the Secretariat of State for Social Emancipation currently functioned as the secretariat of that Commission, it prepared its agenda, the groundwork for its decisions and supervised their implementation. The Prime Minister presided over almost all of the meetings of the Commission.

296. Since its inception, the Secretariat of State for Social Emancipation had had its own budget and a separate administration. Its budget had grown from 12.8 million Belgian francs in 1986 to 65 million francs in 1989. It had had a temporary administrative staff of 10 persons since 1987.

297. With reference to the various campaigns that had been carried out in Belgium, the representative said that campaigns were not sufficient to change attitudes; the achievement of equality was a slow process and required repeated actions. The campaign on the harassment of women at the work place had elicited 1,750 letters and telephone calls and had led trade unions and employers' organizations to start dealing with the problem. As a result of the campaign on unnecessary violence, the gendarmerie and the police had received new instructions on how to deal with the victims. She said that it was still too soon to evaluate the results of the campaign to encourage young women to choose their studies according to the demand on the labour market. A campaign on the occasion of local elections in 1988 had resulted in a marked increase in the number of women elected.

298. As regards the effectiveness of affirmative action programmes, to which Belgium attached great importance, the representative said that it was necessary to provide an adequate legal framework. The Secretariat of State for Social Emancipation concluded agreements with companies and put at their disposal experts who were funded from the budget of the Secretariat. Although the degree signed recently provided for obligatory affirmative actions in the public sector, no penalties were stipulated. The effectiveness of such actions was, however, closely monitored.

299. In order to enhance the image of women in the media, the Secretariat of State for Social Emancipation had recently signed an agreement for affirmative actions with the television channels.

300. The representative said that the women's organizations to which most women belonged were either Catholic, socialist or liberal organizations. In addition, women's groups defended women's interests inside each political party and other groups concentrated on special target groups. Most of the women's organizations suffered from financial constraints; they played the role of pressure groups, and most of them were represented on the Commission for Emancipation, which advised the Secretariat of State for Social Emancipation.

301. Prostitution was regarded as a private activity and was not prohibited, but the exploitation of prostitution and prostitution involving minors were offences under the law. Among the measures to be undertaken by the Secretariat of State for Social Emancipation, priority would be given to tax and social security measures for prostitutes.

302. In order to increase the presence of women in political life, the rule that the maximum representation of one gender in political bodies should not exceed two thirds had to be respected.

303. Private and public schools were co-educational, but in Belgium, as in many other countries, some persons were opposed to the co-educational system. The representative said that the Minister of Education had issued instructions to avoid sex stereotyping in school textbooks.

304. Owing to traditional prejudices, some employers were still not easily inclined to hire young women. The Secretariat of State for Social Emancipation, however, was trying to eliminate those prejudices through affirmative action programmes. The percentage of women in the labour force had risen from 33 per cent in 1970 to 40.7 per cent in 1987. Statistics by age group showed that the percentage of women who had remained in their jobs for periods of between 25 and 29 years and 30 and 34 years had risen markedly since 1970. Women constituted 57.6 per cent of the workers in the tertiary sector. The percentage of women in managerial positions in both the private and public sectors ranged from 10 to 12 per cent; 87 per cent of the part-time workers were women. The unemployment rate for women was 15 per cent and for men 7 per cent. Average wages for women were 25.6 per cent lower than those of men.

305. Women were entitled to a maternity leave of 14 weeks, during which they had the same net earnings as during periods of employment. Career breaks of six months to one year were possible; the maximum period for such breaks was five years. Currently, 84.7 per cent of the persons benefiting from career breaks were women aged between 25 and 39 years.

306. The prohibition of night work, to which Belgium was bound by the Convention Concerning Night Work of Women Employed in Industry (No. 89), adopted by the International Labour Organisation in 1948, was currently under discussion. The tests for entrance to the army, the gendarmerie and the police had recently been adapted so that they did not discriminate against women. According to the most recent statistics, 3,500 women were in the army where they did mostly office work.

307. Belgium had an extensive child-care system with crèches, kindergartens and private families, who received subsidies. Up to 80 per cent of the related costs could be deducted from tax. There were still some problems with after-school day care and the care of sick children.

308. Regarding the subject of in-vitro fertilization, the representative said that the Government had set up a scientific council to study the fundamental ethical questions. Abortion was considered an offence, but the Government had initiated information programmes, taken measures to assist pregnant women in need and envisaged providing social security allowances to single mothers. The Parliament was considering a possible amendment to the law on abortion. The new draft law envisaged conditions under which abortion was not considered an offence.

309. The representative said that, in the Criminal Code, provisions were included that made rape an offence. The definition of rape was, however, unduly restrictive, and a draft law was under discussion that would redefine rape and facilitate the prosecution of it. The new draft law would also make rape between spouses an offence.

310. The representative explained that the law on parenthood had recently undergone changes, which had ended the former discrimination against children born out of wedlock. Children born within and outside marriage had been given equal rights: with regard to the name of the child, a child born within marriage would bear its father's name. A child born outside of marriage would bear its mother's name if it was natural and acknowledged by its mother and if it was adulterine and acknowledged by its father. In the latter two cases, however, the child could bear the name of its natural or adulterine father after acknowledgement by him and if the father and the mother declared to the registrar within one year that that was their wish.

311. One member noted the considerable difference in the unemployment rate for women and for men and asked whether the reasons for it were the practices of private companies, customs and traditions, the lack of technical and vocational training, or because women could not compete with men in the labour market.

312. Members of the Committee welcomed all the measures undertaken by the Government and thanked the representative for the extensive replies provided.

2. Second periodic reports

German Democratic Republic

313. The Committee considered the second periodic report of the German Democratic Republic (CEDAW/C/13/Add.3 and Amend.1 and Corr.1) at its 144th meeting, on 28 February 1989 (CEDAW/C/SR.144).

314. The representative introduced the second periodic report of the German Democratic Republic by reiterating that the principle of sexual equality had been laid down in the first Constitution adopted 40 years previously and all legal regulations contrary to it had been repealed at the time. Conditions had been created in the German Democratic Republic guaranteeing that men and women could assert equally their basic human rights to life, work and education, decent housing, recreation, health care and care in sickness and old age.

315. The representative informed the Committee that the Convention had been translated into German and published in the law gazette and in several professional journals, so that it was accessible to all persons. She said that an important goal of the country's policy on women had been the continued development of the legal system and the extension of material conditions enabling women to enjoy equality in asserting their human rights and basic liberties. Material security, full employment and equal educational opportunities, as well as sexual equality, were reported as fully guaranteed in the country. Women had made a major contribution to the hard work necessary to achieve that situation.

316. The Women's Democratic League worked to improve the lives of women so that they could harmonize employment with family life. In the German Democratic Republic, 91.1 per cent of all women of working age were gainfully employed, studying or in training and women represented 49 per cent of the labour force. The Council of State regularly studied reports by authorities on the implementation of local government policies to improve the lives of women. The representative said that a major goal of the advancement of women was to ensure that a major proportion of the costs incurred by the birth, care and education of children was borne by society and that the work of mothers was recognized appropriately. Family allowances had been raised in 1987. Under new legal regulations, mothers could take one year of paid maternity leave for their first child; after the birth of the third or any subsequent child, that period was extended to 18 months. If released from work to nurse a sick child, married mothers of two or more children, as well as single mothers, were entitled to social insurance benefits equivalent to their own sickness benefits. A new principle had been introduced whereby the husband or grandmother could request release, with pay, from work for a year to care for a child.

317. The representative reported on the regulation providing special assistance to families with severely handicapped children, which provided parents with more time and ensured better financial conditions for them. In 1989, 35 billion marks had been earmarked in the national budget for education, health care and social welfare, which was more than the allocation for national defence.

318. Some obstacles, such as ideological barriers, outdated traditions and family customs, still remained to the equal participation of women in the political, social, economic and cultural life of the country. The representative reported that 86.4 per cent of all women had completed skilled vocational training, and that one out of two technical-school graduates and one out of three university graduates were women. The Government was not satisfied with the situation that only one out of three women held executive positions and the standards of the service sector did not meet the needs of working women in all respects.

319. The Government of the German Democratic Republic regarded peace and disarmament as essential elements in the advancement of women and the implementation of the Convention.

320. The representatives then answered the questions posed by the Committee. One representative reported on a number of new measures that had been introduced in the German Democratic Republic since 1983. In 1986, measures had been introduced to aid families with severely handicapped children by reducing their working hours but not their income and by increasing their holidays. In every district, there were specialized schools for the handicapped. In 1986, extended maternity leave was introduced for the first child. In 1988, a Government decision led to arrangements being initiated for the State to cover unpaid alimony.

321. In response to two questions posed by the Committee, the representative said that there was no specific institution in the German Democratic Republic responsible for overseeing the implementation of the Convention, as experience had shown that it was more effective when sex equality was treated as a non-departmental issue. All ministers monitored and co-ordinated the Convention under their responsibilities for current legislation and new decrees. Social courts, grievance committees and local government and workers' inspectorates were also involved in the monitoring process.

322. In response to a question on studies on ingrained traditions and customs, it was reported that there were several studies being undertaken of the obstacles and barriers to equality, and research on women's affairs was conducted at the academies, universities, colleges and research and vocational training institutions, all of which were co-ordinated by a specific scientific council called Women in Socialist Society. Programmes to overcome traditions, customs and attitudes were being used by the media to stimulate broad public interest in youth and among women. Throughout the German Democratic Republic there were women's organization advisory centres, which held panel discussions and courses preparing youth for family life.

323. The representative reported that courts examining discrimination or violation of the labour, family, co-operative or civil laws invariably settled complaints within one month. District courts offered free legal services to all citizens, and trade unions had their own legal services, which informed members of their rights. Courts had the power to use legal criticism against a company in order to remove the general cause of discrimination so as to prevent its repetition. Women were able to criticize openly private or public acts if those violated their freedoms and rights and they would be supported by the courts, state authorities and public organizations. Petitions and appeals could be addressed to all bodies at all levels.

324. The representative said that, in the German Democratic Republic, two thirds of the population over the age of 18 were married. Both spouses had the responsibility for raising their children and creating equal relations within the family and developing their talents and creativity equally. The media was used to promote a more equal division of labour within the family but traditional patterns still existed. It had been observed that age, social background, the level of qualifications and training and the availability of neighbourhood facilities all played a part in changing those patterns. Women had marginally less personal free time. The attitudes had changed in young families as evidenced by the increased number of fathers taking child-care leave, although the number taking paternal leave was still small. The German Democratic Republic was party to a number of conventions of the International Labour Organisation and was considering becoming a party to the Convention concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities (No. 156).

325. The representative said that prostitution was a punishable offence but the incidence of it was very low; nine cases were reported in 1986 and 17 cases in 1987. The client could also be punished with a maximum sentence of five years' imprisonment. No cases involving minors had been reported.

326. The Government was not satisfied with the number of women in executive positions, which amounted to two members in the Politburo, five in the Council of State, one minister (of education) and five deputy ministers. A high percentage of

women were represented in the elected bodies and, although no quota system existed in the German Democratic Republic, 20,000 women had been nominated by women's organizations to compete in the forthcoming elections.

327. There were women representatives of the German Democratic Republic in the diplomatic service, including the consular service, and international organizations, but most were active at the intermediate level.

328. More details had been requested by the Committee on nationality and citizenship rights in the German Democratic Republic. The representative stated that equal rights were guaranteed by the Constitution and international law for adults and their children to change or retain their citizenship. Any change of nationality within a marriage was not automatically applicable to the wife.

329. In answer to a specific question, the representative said that sex education had been introduced in schools. The Government was not satisfied with the low figures of women at the professorial level, which did not reflect the high percentage of women students enrolled in higher education. A slight increase had been reported since the submission of the second periodic report and 8.8 per cent of the professors were women. Programmes, such as teaching projects and the provision of tutors, were continuously being prepared and updated to assist women in combining motherhood with the hard work necessary to participate at those higher levels.

330. With regard to the question on the imbalance of women's representation in employment activities, it was reported that over 300 vocations were open to women. Women were encouraged to study new technology and 40 per cent of the labour force who were receiving sponsored further training in microelectronics were women. Kindergarten and crèche facilities were provided at universities and students with children received additional allowances. The Labour Code contained criteria to assess work of equal value, which was determined by the qualifications required and the conditions of work, irrespective of the sex of the incumbent. In the German Democratic Republic, women enjoyed equality of status in employment and society. Disputes concerning equality were referred to grievance committees at the shop-floor level, which had the authority of state courts, and 94 per cent of their decisions had subsequently been upheld.

331. On the subject of family planning, the representative said that 40 per cent of all women of child-bearing age used hormonal contraception prescribed by a medical doctor although other forms of contraception were available for both men and women. In addition, every woman had the right to an abortion within 12 weeks of conception and would receive it as an in-patient at a medical clinic or centre, free of charge.

332. The representative reported that almost 330,000 women were employed in rural areas and represented 43 per cent of all permanent rural workers. All labour laws were equally applicable to rural women. Ninety per cent of the women in rural areas had completed vocational training and were employed as skilled workers, team leaders and in management, and their knowledge of modern machinery, as well as the number of licences issued for such machinery, had increased.

333. In response to questions on the protection afforded to victims of violence and rape, the representative said that the criminal court gave protection to persons, particularly minors, in cases of violence, neglect and sexual harassment. The

German Democratic Republic had low delinquency and crime rates and, in 1987, 563 cases of violence and rape (including attempted rape) and 377 cases of sexual harassment had been reported and brought before the court. Support, including advice and assistance, was given to both perpetrator and victim. Victims had the right to demand, and participate in, proceedings; there was no denigration of women by society and support and tact were guaranteed at all stages. Upon conviction, the State would then pay compensation to the victim.

334. In answer to questions posed on family law, the representative said that, as there was widespread support for the laws on the choice of family name, there was no thought of revising them. Either the wife's or the husband's name could be chosen, which would be the one given to the children. Upon divorce, the individuals concerned could choose whether they wished to revert to their former names or not. One third of the children in the German Democratic Republic were born to single mothers, the majority of whom were in cohabiting relationships, and the rights of illegitimate children were fully covered under the Family Code.

335. In reply to further questions posed by the Committee, the representative said that studies had shown that prostitution was not a result of violence and, as the cases of it were so few in the German Democratic Republic, it did not constitute a major social problem. The schools for handicapped children provided a general education to severely mentally and physically handicapped children in order to integrate them into society as fully as possible. There were 300 pre-school establishments, and about 430 special schools with 57,500 participants. Handicapped children were not excluded from youth and pioneer group meetings and were encouraged to participate in them by the media.

336. On the subject of work of equal value, it was recognized that there was still a necessity for discussions to implement the criteria in the Labour Code and to amend them to incorporate the field of modern technology. The change in the qualification requirements and the nature of the work meant that women could participate in more tasks than before. The Supreme Court and trade unions continuously reported to the Government so that provisions for new technologies could be incorporated into the Labour Code. In order to remove gender stereotyping in the labour market, more men were being encouraged to enter the health-care field; crèche and nursery-teaching jobs had been upgraded. The appointment of women to top-level positions required more involvement and preparation on the part of women. No statistics were available on the number of cases that women had won before the grievance committees. The representative said that women were encouraged to continue in full-time employment and to make use of the social support facilities provided by the State in order to combine their family lives with their working lives. Jobs were guaranteed for women returning to the labour force after a career break for family reasons.

Union of Soviet Socialist Republics

337. The Committee considered the second periodic report of the Union of Soviet Socialist Republics (CEDAW/C/13/Add.4 and Amend.1) at its 145th and 147th meetings, on 1 and 2 March 1989 (CEDAW/C/SR.145 and 147).

338. In introducing the second periodic report and responding to questions presented by members of the Committee, the representative of the Union of Soviet Socialist Republics noted that her Government had taken an active role in elaborating the Convention on the Elimination of All Forms of Discrimination

against Women, which contained the minimum standards to ensure the equality of rights for women. She said that the equality of rights was also the underlying principle of all legislation in her country. Since the consideration of the initial report, a revolutionary restructuring had taken place in the country and perestroika had introduced radical changes into the lives of women. Women were a socio-demographic group and their place and role in society had radically altered over the years of socialist construction. The major change was their higher level of general education. She mentioned the fact that 88 per cent of the female population received higher secondary education, 92 per cent was working outside the home or studying and 51 per cent of the national economic activities were undertaken by women. She also gave statistical data on the percentage of women in politics, trade unions and the judiciary. Although the country was experiencing difficult times, the situation of women continued to be a subject of major importance.

339. The representative explained that perestroika was putting an end to the marginalisation of the common woman and man in the decision-making process. One of the most important amendments to the Constitution was the article that had put an end to punishment for criticism and introduced the right to discuss vital issues openly. Perestroika, she said, corresponded to the desire of all Soviet citizens. It involved an expansion of the rights of the different republics and high-level cultural discussions. She also said that the broad strata of Soviet society, including women, should be made aware of all the changes that were taking place and that women's councils were one of the most important elements in the democratic structure of society. They had been given the opportunity of taking a more active part in the management of public affairs.

340. The representative stated that more efforts were needed to promote women to leading posts. Currently, women constituted only 12 per cent of the top engineers, 2 per cent of the members of the Academy of Sciences, 14 per cent of the heads of workshops and 40 per cent of the scientific workers. Perestroika was helping to do away with old stereotypes and attitudes as regards household duties, and the new thinking was entering the consciousness of more and more people. The country was still in a transitional period, but positive advances were continuously being made. In highlighting the most important changes taking place in the socio-economic sphere, the representative said that by 2000, 16 million workers would be released from the agricultural and industrial sectors into other sectors, and half of them would be women. That process would require vocational training to equip women with the necessary higher qualifications. Under a new law, women with children under eight years of age were allowed to take training courses during working hours without loss of pay.

341. Matters of major concern were the supply of food and the importance of rural workers increasingly acquiring control over the soil, which would lead to an improvement in the status of women and their families, as were housing problems, an increase in the production of consumer goods, a restructuring of all branches of industry, an increase in real wages and the reduction of manual labour. As a result of the recent reform of the educational system, women would be able to embark upon any profession in future. Funds totalling 11 billion roubles had been allocated from the State budget, of which 3.5 billion roubles were for the annual expenditure needed to increase the salaries of teachers, 75 per cent of whom were women.

342. The representative said that improvements had been made in the health sector as regards obstetric, therapeutic and paediatric care. The rate of mortality had decreased, medical complexes had been set up throughout the country and, since 1988, prescriptions for medicines for children under three years of age had been free of charge. She also said that a programme on the prevention of AIDS had been introduced.

343. The representative said that there was a broad system of guarantees and benefits for women. Certain measures, such as increased family allowances, higher salaries for medical doctors and higher wages in light industry, benefited women equally. The increase in housing allowances and allowances for children were part of the general improvement of social welfare measures. The working woman had assumed a new image and her interests were among the main concerns of current national policy. She said that the success of perestroika depended on the participation of women and the improvement of their status.

344. The representative drew the attention of the Committee to an expert group meeting on social support measures for the advancement of women, which had been held in November 1988. Participants in the meeting had proposed that a protocol to the Convention on the Elimination of All Forms of Discrimination against Women should be prepared. It should consist of government measures for the social support of women and their families. The representative felt that the proposal deserved the most serious attention and that it would be an important step towards the advancement of women and increasing the efficiency of the implementation of the Convention.

345. The members of the Committee acknowledged the prompt submission of the second periodic report, the detailed presentation and the statistical data provided. Some of the members noted that the representative had been one of the main participants in the drafting of the Convention and found the improved economic situation under perestroika encouraging. They welcomed the critical view of the remaining problems. The Committee recognized that the country was undergoing a major process of reform aimed at the improvement of all facets of life. They welcomed the proposal for a protocol to be added to the Convention and suggested that a draft should be circulated soon and brought to the attention of the Commission on the Status of Women.

346. Members of the Committee said that perestroika and glasnost would certainly make it possible for the final obstacles to equality to be overcome. One member noted especially that Soviet women's organizations had provided assistance to developing countries in the educational sector.

347. Some members of the Committee asked whether Soviet women were aware of the discrepancies that still existed as regards wage levels and whether the Government or women's organizations contemplated introducing any measures to encourage women to change their still disadvantaged status. Others asked whether Soviet women were aware of their new rights under perestroika.

348. Several members of the Committee asked what was being done to change conservative male attitudes towards housework. Some members said that women still seemed to be seen as mothers rather than consumers and asked whether anything was being done to improve the recreational and leisure aspects of the lives of women. Other members asked whether the subject of violence against women, which was a world-wide phenomenon, was discussed by women's organizations under the influence

of glasnost, whether the abuse of alcohol played a role in such violence and what was being done to protect abused women.

349. One member of the Committee asked whether prostitution was practised in the country and whether any legal provisions existed to prevent or suppress it.

350. Interest was expressed in the initiatives taken by women's councils. Some members of the Committee asked what was being done to promote the status of women in political life. They commented on the declining representation of women in politics and decision-making posts. One member referred to the few women in leading positions as tokens and inquired whether affirmative action was planned to alter the situation. Considering the role played by Soviet women in the struggle for peace, it was asked whether there were women officers in the Soviet army, and if not, why not.

351. Regarding the statement made by the representative that 16 million workers, half of them women, would change their jobs, it was asked whether those women would be retrained and whether their redeployment would bring about an improvement or deterioration in their situation, in view of the fact that the introduction of advanced technology had been detrimental to the status of women in other countries. Inquiries were made about the reasons for the extremely low percentage of female heads of academic institutions. A member asked whether the reasons were a lack of enthusiasm on the part of women, a lack of qualified women or whether it was difficult for women to enter academic fields.

352. One member of the Committee wanted to know what the minimum level of remuneration in the Soviet Union was and how it compared with an average family income. She also asked whether there were sufficient child-care facilities in the country. Another member inquired whether mechanisms existed to monitor the socio-economic rights of working mothers, such as child-care leave or shorter working hours, and to ensure that the new system was not detrimental to them rather than advantageous. While appreciation was expressed for the statistical data provided in the report (CEDAW/C/13/Add.4/Amend.1), it was said that the picture would have been clearer if, in addition, the total figures for women and men had been supplied.

353. Regarding birth control, it was asked whether it was true that many women resorted to abortions, and what were the conditions under which such abortions were performed and which methods were used. It was asked further whether the existing misconceptions about chemical contraceptives were being dispelled and whether such contraceptives were available.

354. Further information was sought about the involvement of women in agricultural communities.

355. Members of the Committee asked whether the number of divorces had increased since the presentation of the country's initial report, whether the number of unmarried mothers and of de facto unions was high in the Soviet Union, and what the opinion of Soviet society about them was. A member inquired how the Government was tackling the problem that many divorces were precipitated by the abuse of alcohol. One member inquired whether the father's statutory liability to pay maintenance applied to all his children and what the sanctions in the case of non-compliance were. A question was raised about the existence of inheritance and succession laws and whether they applied also to unmarried mothers.

356. In reply to questions presented by members of the Committee in writing or raised orally, the representative of the Union of Soviet Socialist Republics stressed the interrelationship, to which she had previously referred, between the improvement of the status of women and the recent socio-economic changes and said that, under glasnost, women had become more active and were no longer prepared to accept shortcomings in their conditions. In earlier days, she said, it was normal for women to work on night shifts but, since perestroika, women no longer wished to perform night work. She said further that the Nairobi Forward-looking Strategies for the Advancement of Women 13/ coincided with the provisions contained in the Soviet Development Plan for Social and Economic Services.

357. The most important fundamental rights and freedoms of women were enshrined in article 48 of the Constitution. Women had the right to elect, and to be elected to, the national councils. In key organs, different standing commissions dealt with a variety of problems peculiar to the lives of women, worked out measures to protect women and took part in the drafting of new laws. She explained that the Committee of Soviet Women had been in existence for a long time, but its functions were changing and it was concentrating on women's domestic life. Perestroika had also improved the work of the women's councils. Women could also be seen among the 1,200 delegates at the All-Union Conference of Soviet Women in 1987 at which new women's councils had been created. In all, there were 237,000 women's councils, with a membership of 2.3 million women. The councils worked in close contact with the trade unions and the authorities. Their role in promoting women to key posts, however, was still poorly developed.

358. The representative said that the text of the Convention had been published, but not in large quantities. The work of the Committee, its discussions and recommendations were conveyed to Soviet women through the press.

359. As regards the role of women in the family and in child rearing, she said that women did not play a subordinate role. She said that the question of education for young women was taken very seriously; it was important, however, that in being promoted, women should not lose their femininity and motherliness. Great emphasis was placed on mutual respect between the sexes. Although the health authorities and women's councils were gaining in strength, it took a long time to change prevailing attitudes enshrined in culture and traditions, especially in the Central Asian Republics. The representative said that most women shared domestic responsibilities with their spouses and the idea was also incorporated in school curricula. The sharing of responsibilities could be increased by the wider availability of modern household appliances and the social protection of the family.

360. As most women were employed in the national economy, it was important to alleviate their household burdens by developing modern appliances in order to provide them with more leisure time. Specific targets had been set for various enterprises to produce better appliances.

361. Violence in the family was a punishable offence and alcohol abuse was considered an aggravating circumstance in such a case. Serious steps were being taken, however, to reduce alcoholism. Prostitution existed, but it was not a major problem; although it had caused some concern in relation to the danger of spreading AIDS. Administrative and legal measures were envisaged to tackle the problem.

362. Women were also included among the members of the Supreme Soviet of the Union of Soviet Socialist Republics. Although the actual number of women at the

decision-making level was in itself quite high, women constituted only 12-14 per cent of personnel at that level and the Government wanted to see that percentage increase. One of the reasons for the low percentage could be a lack of solidarity among women themselves. There were women in high positions in the Government and the reason for the decrease of women ministers from 27 to 22 lay in the overall reduction of ministerial posts. The Soviet Union had no quota system, but it followed a firm policy to promote women to managerial positions. In professions in the mass media, 30 per cent of the employees were women. The representative acknowledged the fact that the percentage of women members of the Academy of Sciences was low, but said that the Government had no influence in that sphere: the Academy members themselves elected new members.

363. Traditionally, women played a key role in the struggle for peace. As regards their position in the army, the representative explained that women occupied auxiliary positions. The Government's policy was to reduce all armaments and related expenditure in order to release resources for social development.

364. Eight women were working in the foreign service, in Côte d'Ivoire, Egypt, France and the Federal Republic of Germany. There was one woman ambassador in Switzerland, as well as two women at a high level in the Secretariat of the United Nations. In 1987, 12 women candidates were presented to the United Nations to occupy Professional posts, and two of them were accepted and appointed. One of the reasons for the low percentage was that Soviet women did not like living abroad because of marital and family considerations.

365. Retraining activities were currently being undertaken in many enterprises and women and men were entitled to participate equally. There were no illiterate people in the country.

366. The representative stated that the functions of trade unions were far-reaching, covering all aspects of life. There were no statistics on the number of fathers who took parental leave to care for sick children and, in any event, it was for both parents to decide on the matter. Maternity leave for the first year after the birth of a child, however, was given only to mothers. Additional leave to care for a child was given to the father only if he was the sole provider of care in the family. The number of child-care facilities was not yet adequate, but there were plans to increase it. In the urban areas, the demand for places in crèches and kindergartens could be met by up to 70 per cent. It was in the interests of the family that women could, for a certain time, receive part of their wages as compensation and, therefore, could afford to stay at home and look after their children. As regards work that was considered harmful to women, she said that the Soviet Union adhered to the provisions contained in the conventions of the ILO and prohibited women to undertake such occupations.

367. The question of equal pay for equal work was currently being dealt with by a committee on labour issues and by the trade unions. Job classifications were being undertaken and the average wage was 220 roubles a month and the minimum wage was set at 70 roubles a month. The list of professions considered too arduous for women was consistent with the conventions and standards of ILO. As regards the changes in the work-force that would result from the introduction of new technologies, the representative said that new technologies were introduced by agreement between the work-force and the trade unions. Some women would have to change their places of work and would have to adapt to the new situation.

368. Concerning possible disadvantages for young women inherent in the new socio-economic improvements at the place of work, the representative said that women would have to undergo occupational retraining and had to be encouraged to take advantage of the possibilities offered to working mothers.

369. The high rates of infant mortality in Tadzhik SSR, Turkmen SSR and Uzbek SSR, which were mainly rural areas, were attributable to the fact that families were large in those regions. The rapid increase in the number of children had outstripped the State's ability to provide medical services. Solutions were being sought and some reductions in infant mortality had been achieved. Family planning was included in the health programme for up to the year 2000 and the number of contraceptive devices, as well as consultation offices for women, was being expanded. In reply to the question raised by one member of the Committee as to whether the Soviet Union still encouraged large families and presented awards to mothers of many children, the representative said that such a policy had been practised in the past and that mothers of large families received equivalent benefits and allowances. Recently, however, the family planning policy had been changing and a family with a maximum of three children was encouraged.

370. Rural women enjoyed full equality, but some differences in comparison with urban women existed in the social sphere. Currently, social and economic programmes had been directed at better meeting the needs of rural women.

371. Under the Code on Marriage and the Family, all citizens had equal rights in family relations. Those rights were safeguarded and thus women were in no way placed in an inferior position. Special attention was given to improving policy regarding the family and to strengthening the family. The representative said that both spouses had to provide each other with support in the case of the other's incapacity to work. The divorce rate was 30 per cent and had remained static during recent years. The representative acknowledged that there was a connection between the abuse of alcohol and the high divorce rate, but there was reason to hope that positive changes would be introduced. No statistics on the number of unregistered marriages were available. Laws provided for the equal rights of children born within and outside wedlock.

372. In answer to a specific request, the representative said that no final document had been circulated on the World Congress of Women, which had been held in June 1987 in Moscow.

373. The representative acknowledged the need for improving statistics and indicators and said that the statistical authorities of the Government were expanding their coverage.

374. Members of the Committee acknowledged the detailed and frank replies provided, as well as the fact that information on the work of the Committee had been disseminated to Soviet women. The Committee noted the recognition of the Government that there were still goals to be achieved.

Byelorussian Soviet Socialist Republic

375. The Committee considered the second periodic report of the Byelorussian Soviet Socialist Republic (CEDAW/C/13/Add.5 and Amend.1) at its 147th meeting, on 2 March 1989 (CEDAW/C/SR.147).

376. The representative introduced the second periodic report by briefly describing the status of women and the related policy measures that had been taken. She said that, since 1983, the reform of the political system had strengthened democracy in the country and led to better management and to more importance being attached to women's matters. The Government recognized the need to increase the proportion of women in high-level positions and amendments were being made to the Constitution to enable public organizations, such as the women's councils, to encourage a wider representation of women in governmental posts at all levels. She said that in the previous three years, as a result of the current economic reforms, the average wage of industrial and office workers had risen by 18 per cent and that of collective farm workers by 24 per cent. More housing had been provided and the consumption of consumer goods had risen, indicating a rise in social standards.

377. The representative responded to the questions posed by the Committee on specific articles of the Convention. She said that women could take cases of infringements of their labour rights, such as unlawful dismissal or reassignment, to the court. Cases of dismissal for refusal to cohabit, or resistance to sexual advances by superiors, had not been brought before the courts. Under the Constitution, every citizen had the right to make proposals to, or to criticize, State authorities who were then obliged to reply to the proposals or criticism and to undertake any measures that were necessary. Persecution for criticism was forbidden.

378. It was not considered necessary to introduce special measures, such as quotas or training programmes, to achieve the advancement of women since training, retraining and redeployment programmes and courses to enhance skills existed. At least half of the participants in them were women.

379. Sociological studies had been conducted on stereotyped roles of behaviour and their recommendations had been used in developing the necessary legislation. The studies showed that women still spent two or three times as much time on housework as men. Efforts had been made to develop and improve social support services, to introduce more labour-saving appliances and to make all members of the family aware of the problems experienced by women in the household. The campaign had been conducted through the mass media in the form of newspaper columns, publications, and radio and television programmes.

380. The representative reported that prostitution did not exist as a social problem although individual cases of it occurred. She considered them to be a manifestation of the moral neglect of individual young people, and appropriate measures were taken in each instance.

381. In response to a question posed on the political participation of women, the representative gave some statistics. She said that 64 per cent of the members of bureaucratic organizations, such as co-operative and social organizations, were women, who served as managers of enterprises, judges, procurators, chairmen of collectives and State farms, and heads of schools and higher educational establishments. Women held the posts of Deputy Chairman and Secretary of the Presidium of the Supreme Soviet, and of Deputy President of the Council of Ministers. They also held 180 (37.1 per cent) of the deputy positions in the Supreme Soviet. Thirty per cent of the Communist Party of the Republic were women, which was the same proportion of women as that elected to the leading organs of the Party. Women represented 36.3 per cent of the national judges and 57.2 per cent of the State representatives. Three of the 25 judges of the Supreme Court were women,

who had power within their spheres of competence. There were no women in the Politburo.

382. Regarding the question about the term "house committees", the representative explained that they were public associations elected by the occupants of residential houses or streets. They managed utilities and services, the planting and care of trees and grass, the maintenance of children's play areas, and holiday activities and facilities for invalids, the elderly and persons living on their own. The women's councils collaborated with the house committees.

383. An increase in the number of women scientific workers had been observed and, currently, women represented 40 per cent of the total. The representative reported that 118 doctors of science, 80 academicians, members of the academy, or full professors and over 40 per cent of the students in technical colleges were women. Basic measures for education were expanded in 1988 to increase the training opportunities, facilities and scope of occupations for women. There were 670,000 children in pre-school establishments. The number of available places was still insufficient but measures had been included in the current five-year plan to increase them, particularly in the rural areas. All students at higher education and technical colleges were given special privileges with regard to securing places in pre-school establishments for their children.

384. The representative said that statistics were not available on the proportion of women in male-dominated areas of employment. The proportion of women attending the 253 vocational technical training schools was 60 per cent. The curricula consisted of training and skill enhancement programmes conducted at the work place or at the schools. Mothers with children below the age of eight were released from work so that they could upgrade their qualifications while continuing to receive full pay. According to the law, fathers could also take parental leave for the care of sick children but the provision for prolonged child-care leave applied only to the mother, which could create obstacles to the promotion of her career and skills.

385. Regarding the policy of equal pay for work of equal value in female-dominated sectors of the economy, the representative stated that the policy was being applied in all sectors, irrespective of the dominant sex. Sometimes women were not able to maintain or upgrade their qualifications, owing to career breaks, a fact that was reflected in their earnings. The problem was currently under discussion.

386. The indicators used to study the general level of health of the community were the rates for births and deaths and infant mortality. Forty per cent of the State budget for the provision of medical care was spent on obstetric and paediatric services. In 1988, the birth rate was 16.2 per thousand and the death rate 10.1 per thousand persons. In 1987 the corresponding figures were 16.1 per thousand and 9.9 per thousand persons, respectively. There had been little change in the infant mortality rate, which was reported as being 13.4 per thousand infants in 1987 and 13.2 per thousand infants in 1988. Those figures were considered high and reflected a shortcoming in the preventive medical-care services. The demographic policies of the State were to provide housing and assistance to young families so as to encourage an increase in the birth rate, which had been static for several years. The Government felt that the measures taken under the demographic policy did not contradict the right of spouses to decide how to plan the spacing of their children. In order to encourage larger families, benefits were given and special privileges accorded with regard to school places, travel

opportunities and participation in pioneer camps. The State and employers made monthly cash payments to the parents of larger families. The areas of employment considered harmful to the health of women were classified as work underground and work involving high temperatures, excessive vibration, welding, toxic substances, heavy loads, heavy goods vehicles and machinery.

387. In response to another question, the representative stated that 35 per cent of the total population lived in rural areas. Women represented a lower proportion of the rural working force than the urban one owing to the larger urban population and the seasonal nature of work in the rural areas. There was only a slight variation in the average level of remuneration between rural and urban areas.

388. The Family Code strived to create a family situation that was representative of the conjugal relationship between the partners, to protect the mother and her child and to allow children to grow up within the family and society. Hierarchical attitudes still prevailed with regard to household management, decisions and the sharing of the work-load within the home. Studies of the distribution of family and household duties had been undertaken in colleges, the women's councils and by women themselves, and the recommendations had been forwarded to public organizations. All women's studies were financed by the State and trade unions. Voluntary social studies were undertaken by the women's councils.

389. In reply to further questions posed by the Committee, the representative said that women actively supported the peace movement in general and the nuclear disarmament movement in particular, at all levels. Women members of the trade union commissions at the regional, municipal and republican levels were concerned with improving the conditions of work for women and of services for working women with children. Measures to retrain women after career breaks were carried out in special schools and courses.

V. WAYS AND MEANS OF IMPLEMENTING ARTICLE 21 OF THE CONVENTION

390. At its 148th and 149th meetings, on 2 and 3 March 1989, the Committee considered and discussed the draft general recommendations presented by Working Group II. The Committee adopted general recommendations 9, 10, 11, 12 and 13.

391. The Committee expressed its continuing concern about traditional practices affecting the health of mothers and children and considered the subject to be a priority matter under article 12 of the Convention. The Committee was aware that the Commission on Human Rights, at its forty-fourth session, by resolution 1988/57, had requested the Sub-Commission on Prevention of Discrimination and Protection of Minorities, at its fortieth session, to consider measures to be taken at the national and international levels to eliminate such practices, and to submit a report to the Commission at its forty-sixth session. The Committee decided to defer further consideration of the matter to its ninth session in order to enable it to take into consideration the report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and other relevant material. The Committee requested that the report and other relevant material should be circulated to its members.

General recommendations and suggestions based on article 21 of the Convention

392. The general recommendations and suggestions adopted by the Committee at its 148th, 149th and 150th meetings, on 2 and 3 March 1989, read as follows:

General recommendation No. 9 (eighth session 1989)

Statistical data concerning the situation of women

The Committee on the Elimination of Discrimination against Women,

Considering that statistical information is absolutely necessary in order to understand the real situation of women in each of the States parties to the Convention,

Having observed that many of the States parties that present their reports for consideration by the Committee do not provide statistics,

Recommends that States parties should make every effort to ensure that their national statistical services responsible for planning national censuses and other social and economic surveys formulate their questionnaires in such a way that data can be disaggregated according to gender, with regard to both absolute numbers and percentages, so that interested users can easily obtain information on the situation of women in the particular sector in which they are interested.

General recommendation No. 10 (eighth session 1989)

Tenth anniversary of the adoption of the Convention on the Elimination of All Forms of Discrimination against Women

The Committee on the Elimination of Discrimination against Women,

Considering that 18 December 1989 marks the tenth anniversary of the adoption of the Convention on the Elimination of All Forms of Discrimination against Women,

Considering further that in those 10 years the Convention has proved to be one of the most effective instruments that the United Nations has adopted to promote equality between the sexes in the societies of its States Members,

Recalling general recommendation No.6 (seventh session 1988) on effective national machinery and publicity,

Recommends that, on the occasion of the tenth anniversary of the adoption of the Convention, the States parties should consider:

1. Undertaking programmes including conferences and seminars to publicize the Convention on the Elimination of All Forms of Discrimination against Women in the main languages of and providing information on the Convention in their respective countries;

2. Inviting their national women's organizations to co-operate in the publicity campaigns regarding the Convention and its implementation and encouraging non-governmental organizations at the national, regional and international levels to publicise the Convention and its implementation;

3. Encouraging action to ensure the full implementation of the principles of the Convention, and in particular article 8, which relates to the participation of women at all levels of activity of the United Nations and the United Nations system;

4. Requesting the Secretary-General to commemorate the tenth anniversary of the adoption of the Convention by publishing and disseminating, in co-operation with the specialized agencies, printed and other materials regarding the Convention and its implementation in all official languages of the United Nations, preparing television documentaries about the Convention, and making the necessary resources available to the Division for the Advancement of Women, Centre for Social Development and Humanitarian Affairs of the United Nations Office at Vienna, to prepare an analysis of the information provided by States parties in order to update and publish the report of the Committee (A/CONF.116/13), which was first published for the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, held at Nairobi in 1985.

General recommendation No. 11 (eighth session 1989)

Technical advisory services for reporting obligations

The Committee on the Elimination of Discrimination against Women,

Bearing in mind that, as at 3 March 1989, 96 States had ratified the Convention on the Elimination of All Forms of Discrimination against Women,

Taking into account the fact that by that date 60 initial and 19 second periodic reports had been received,

Noting that 36 initial and 36 second periodic reports were due by 3 March 1989 and had not yet been received,

Welcoming the request in General Assembly resolution 43/115, paragraph 9, that the Secretary-General should arrange, within existing resources and taking into account the priorities of the programme of advisory services, further training courses for those countries experiencing the most serious difficulties in meeting their reporting obligations under international instruments on human rights,

Recommends to States parties that they should encourage, support and co-operate in projects for technical advisory services, including training seminars, to assist States parties on their request in fulfilling their reporting obligations under article 18 of the Convention.

General recommendation No. 12 (eighth session 1989)

Violence against women

The Committee on the Elimination of Discrimination against Women,

Considering that articles 2, 5, 11, 12 and 16 of the Convention require the States parties to act to protect women against violence of any kind occurring within the family, at the work place or in any other area of social life,

Taking into account Economic and Social Council resolution 1988/27,

Recommends to the States parties that they should include in their periodic reports to the Committee information about:

1. The legislation in force to protect women against the incidence of all kinds of violence in everyday life (including sexual violence, abuses in the family, sexual harassment at the work place etc.);

2. Other measures adopted to eradicate this violence;

3. The existence of support services for women who are the victims of aggression or abuses;

4. Statistical data on the incidence of violence of all kinds against women and on women who are the victims of violence.

General recommendation No. 13 (eighth session 1989)

Equal remuneration for work of equal value

The Committee on the Elimination of Discrimination against Women,

Recalling International Labour Organisation Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value, which has been ratified by a large majority of States parties to the Convention on the Elimination of All Forms of Discrimination against Women,

Recalling also that it has considered 51 initial and five second periodic reports of States parties since 1983,

Considering that although reports of States parties indicate that, even though the principle of equal remuneration for work of equal value has been accepted in the legislation of many countries, more remains to be done to ensure the application of that principle in practice, in order to overcome the gender-segregation in the labour market,

Recommends to the States parties to the Convention on the Elimination of All Forms of Discrimination against Women that:

1. In order to implement fully the Convention on the Elimination of All Forms of Discrimination against Women, those States parties that have not yet ratified ILO Convention No. 100 should be encouraged to do so;

2. They should consider the study, development and adoption of job evaluation systems based on gender-neutral criteria that would facilitate the comparison of the value of those jobs of a different nature, in which women presently predominate, with those jobs in which men presently predominate, and they should include the results achieved in their reports to the Committee on the Elimination of Discrimination against Women;

3. They should support, as far as practicable, the creation of implementation machinery and encourage the efforts of the parties to collective agreements, where they apply, to ensure the application of the principle of equal remuneration for work of equal value.

Suggestion 2

393. The Committee on the Elimination of Discrimination against Women, recalls the significance of the Convention on the Elimination of All Forms of Discrimination against Women in promoting the equality of women, and the importance of equality in the development of human resources, considers the important functions of the Committee on the Elimination of Discrimination against Women in monitoring progress in the implementation of the Convention, recalls General Assembly resolutions 43/100 and 43/115, and the conclusions and recommendations of the meeting of chairpersons of human rights treaty bodies, and suggests that the Secretary-General, in consultation with the Member States of the United Nations, should, within existing resources, accord higher priority to the strengthening of the secretariat services of the Committee to ensure its effective operation.

VI. ADOPTION OF THE REPORT

394. At its 150th meeting, on 3 March 1989, the Committee considered the draft report of the eighth session, and adopted it as amended.

Notes

1/ Compendium of International Conventions concerning the Status of Women (United Nations publication, Sales No. E.88.IV.3).

2/ Note by the Secretary-General transmitting the report entitled "Reporting obligations of States parties to the United Nations instruments on human rights" (HRI/MC/1988/1), paras. 46 and 79.

3/ Ibid., paras. 55 and 80.

4/ Ibid., para. 81.

5/ Ibid., para. 85.

6/ Ibid., para. 83.

7/ Ibid., para. 85.

8/ Ibid., para. 48.

9/ Report of the Committee on the Elimination of Discrimination against Women on the achievements of and obstacles encountered by States parties in the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (A/CONF.116/13).

10/ Note by the Secretary-General transmitting the report entitled "Reporting obligations of States parties to the United Nations instruments on human rights" (HRI/MC/1988/1), para. 87.

11/ Ibid., para. 91.

12/ Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985 (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

13/ Ibid.

ANNEX I

States parties to the Convention on the Elimination of All Forms of Discrimination against Women as at 3 March 1989

States parties to the Convention	Date of receipt of the instrument of ratification or accession	Date of entry into force
Angola	17 September 1986 a/	17 October 1986
Argentina	15 July 1985 b/	14 August 1985
Australia	28 July 1983 b/	27 August 1983
Austria	31 March 1982 b/	30 April 1982
Bangladesh	6 November 1984 a/, b/	6 December 1984
Barbados	16 October 1980	3 September 1981
Belgium	10 July 1985 b/	9 August 1985
Bhutan	31 August 1981	30 September 1981
Brazil	1 February 1984 b/	2 March 1984
Bulgaria	8 February 1982 b/	10 March 1982
Burkina Faso	14 October 1987 a/	13 November 1987
Byelorussian Soviet Socialist Republic	4 February 1981 b/	3 September 1981
Canada	10 December 1981 b/	9 January 1982
Cape Verde	5 December 1980 a/	3 September 1981
China	4 November 1980 b/	3 September 1981
Colombia	19 January 1982	18 February 1982
Congo	26 July 1982	25 August 1982
Costa Rica	4 April 1986	4 May 1986
Cuba	17 July 1980 b/	3 September 1981
Cyprus	23 July 1985 a/, b/	22 August 1985
Czechoslovakia	16 February 1982 b/	18 March 1982
Democratic Yemen	30 May 1984 a/, b/	29 June 1984
Denmark	21 April 1983	21 May 1983
Dominica	15 September 1980	3 September 1981
Dominican Republic	2 September 1982	1 October 1982
Ecuador	9 November 1981	9 December 1981
Egypt	18 September 1981 b/	18 October 1981
El Salvador	19 August 1981 b/	18 September 1981
Equatorial Guinea	23 October 1984 a/	22 November 1984
Ethiopia	10 September 1981 b/	10 October 1981
Finland	4 September 1986	4 October 1986
France	14 December 1983 b/	13 January 1984
Gabon	21 January 1983	20 February 1983
German Democratic Republic	9 July 1980 b/	3 September 1981
Germany, Federal Republic of	10 July 1985 -	9 August 1985
Ghana	2 January 1986	1 February 1986
Greece	7 June 1983	7 July 1983
Guatemala	12 August 1982	11 September 1982
Guinea	9 August 1982	8 September 1982
Guinea-Bissau	23 August 1985	22 September 1985

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States parties to the Convention	Date of receipt of the instrument of ratification or accession	Date of entry into force
Guyana	17 July 1980	3 September 1981
Haiti	20 July 1981	3 September 1981
Honduras	3 March 1983	2 April 1983
Hungary	22 December 1980 b/	3 September 1981
Iceland	18 June 1985	18 July 1985
Indonesia	13 September 1984 b/	13 October 1984
Iraq	13 August 1986 a/, b/	12 September 1986
Ireland	23 December 1985 a/, b/	22 January 1986
Italy	10 June 1985	10 July 1985
Jamaica	19 October 1984 b/	18 November 1984
Japan	25 June 1985	25 July 1985
Kenya	9 March 1984 a/	8 April 1984
Lao People's Democratic Republic	14 August 1981	13 September 1981
Liberia	17 July 1984 a/	16 August 1984
Luxembourg	2 February 1989 b/	4 March 1990
Malawi	12 March 1987 a/	11 April 1987
Mali	10 September 1985	10 October 1985
Mauritius	9 July 1984 a/, b/	8 August 1984
Mexico	23 March 1981	3 September 1981
Mongolia	20 July 1981 b/	3 September 1981
New Zealand	10 January 1985 b/	9 February 1985
Nicaragua	27 October 1981	26 November 1981
Nigeria	13 June 1985	13 July 1985
Norway	21 May 1981	3 September 1981
Panama	29 October 1981	28 November 1981
Paraguay	6 April 1987 a/	6 May 1987
Peru	13 September 1982	13 October 1982
Philippines	5 August 1981	4 September 1981
Poland	30 July 1980 b/	3 September 1981
Portugal	30 July 1980	3 September 1981
Republic of Korea	27 December 1984 b/	26 January 1985
Romania	7 January 1982 b/	6 February 1982
Rwanda	2 March 1981	3 September 1981
Saint Kitts and Nevis	25 April 1985 a/	25 May 1985
Saint Lucia	8 October 1982 a/	7 November 1982
Saint Vincent and the Grenadines	4 August 1981 a/	3 September 1981
Senegal	5 February 1985	7 March 1985
Sierra Leone	11 November 1988	11 December 1988
Spain	5 January 1984 b/	4 February 1984
Sri Lanka	5 October 1981	4 November 1981
Sweden	2 July 1980	3 September 1981
Thailand	9 August 1985 a/, b/	8 September 1985
Togo	26 September 1983 a/	26 October 1983
Tunisia	20 September 1985 b/	20 October 1985
Turkey	20 December 1985 a/, b/	19 January 1986
Uganda	22 July 1985	21 August 1985

States parties to the Convention	Date of receipt of the instrument of ratification or accession	Date of entry into force
Ukrainian Soviet Socialist Republic	12 March 1981 b/	3 September 1981
Union of Soviet Socialist Republics	23 January 1981 b/	3 September 1981
United Kingdom of Great Britain and Northern Ireland	7 April 1986 b/	7 May 1986
United Republic of Tanzania	20 August 1985 a/	19 September 1985
Uruguay	9 October 1981	8 November 1981
Venezuela	2 May 1983 b/	1 June 1983
Viet Nam	17 February 1982 b/	19 March 1982
Yugoslavia	26 February 1982	28 March 1982
Zaire	17 October 1986	16 November 1986
Zambia	21 June 1985	21 July 1985

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a/ Accession.

b/ Reservation.

ANNEX II

Submission of reports by States parties under article 18 of the Convention as at 3 March 1989

A. Initial reports due or submitted as at 3 March 1989

States parties to the Convention	Invitation to submit reports	Date due	Date of submission
Angola	22 October 1986	17 October 1987	
Argentina	16 August 1985	14 August 1986	6 October 1986 (Add.39) f/
Australia	12 September 1983	27 August 1984	3 October 1986 (Add.40) f/
Austria	23 April 1982	30 April 1983	20 October 1983 (Add.17) c/
Bangladesh	2 April 1985	6 December 1985	12 March 1986 (Add.34) e/
Barbados	2 March 1982	3 September 1982	
Belgium	16 August 1985	9 August 1986	20 July 1987 (Add.53) g/
Bhutan	2 March 1982	30 September 1982	
Brazil	2 March 1984	2 March 1985	
Bulgaria	2 March 1982	10 March 1983	13 June 1983 (Add.15) c/
Burkina Faso	24 November 1987	13 November 1988	
Byelorussian Soviet Socialist Republic	2 March 1982	3 September 1982	4 October 1982 (Add.5) a/
Canada	2 March 1982	9 January 1983	15 July 1983 (Add.16) c/
Cape Verde	2 March 1982	3 September 1982	
China	2 March 1982	3 September 1982	25 May 1983 (Add.14) b/
Colombia	2 March 1982	18 February 1983	16 January 1986 (Add.32) e/
Congo	14 September 1982	25 August 1983	
Costa Rica	7 May 1986	4 May 1987	
Cuba	2 March 1982	3 September 1982	27 September 1982 (Add.4) a/
Cyprus	23 August 1985	22 August 1986	
Czechoslovakia	14 September 1982	18 March 1983	4 October 1984 (Add.26) d/
Democratic Yemen	24 August 1984	29 June 1985	
Denmark	7 July 1983	21 May 1984	30 July 1984 (Add.22) d/
Dominica	2 March 1982	3 September 1982	
Dominican Republic	14 September 1982	2 October 1983	2 May 1986 (Add.37) f/
Ecuador	2 March 1982	9 December 1982	14 August 1984 (Add.23) d/

States parties to the Convention	Invitation to submit reports	Date due	Date of submission
Egypt	2 March 1982	18 October 1982	2 February 1983 (Add.10) b/
El Salvador	2 March 1982	18 September 1982	3 November 1983 (Add.19) d/
Equatorial Guinea	2 April 1985	22 November 1985	16 March 1987 (Add.50) g/
Ethiopia	2 March 1982	10 October 1982	
Finland	6 October 1986	4 October 1987	16 February 1988 (Add.56) g/
France	8 February 1984	13 January 1985	13 February 1986 (Add.33) e/
Gabon	28 February 1983	20 February 1984	19 June 1987 (Add.54) g/
German Democratic Republic	2 March 1982	3 September 1982	30 August 1982 (Add.1) a/
Germany, Federal Republic of	16 August 1985	9 August 1986	15 September 1988 (Add.59)
Ghana	3 February 1986	1 February 1987	
Greece	7 July 1983	7 July 1984	5 April 1985 (Add.28) e/
Guatemala	14 September 1982	11 September 1983	
Guinea	14 September 1982	8 September 1983	
Guinea-Bissau	25 September 1985	22 September 1986	
Guyana	2 March 1982	3 September 1982	
Haiti	2 March 1982	3 September 1982	
Honduras	13 April 1983	2 April 1984	3 December 1986 (Add.44)
Hungary	2 March 1982	3 September 1982	20 September 1982 (Add.3) b/
Iceland	16 August 1985	18 July 1986	
Indonesia	31 October 1984	13 October 1985	17 March 1986 (Add.36) f/
Iraq	15 September 1986	12 September 1987	
Ireland	24 January 1986	22 January 1987	18 February 1987 (Add.47) g/
Italy	11 July 1985	10 July 1986	
Jamaica	31 October 1984	18 November 1985	12 September 1986 (Add.38) f/
Japan	16 August 1985	25 July 1986	13 March 1987 (Add.48) f/
Kenya	16 April 1984	8 April 1985	
Lao People's Democratic Republic	2 March 1982	13 September 1982	
Liberia	24 August 1984	16 August 1985	
Luxembourg		4 March 1990	
Malawi	18 May 1987	11 April 1988	15 July 1988 (Add.58)

States parties to the Convention	Invitation to submit reports	Date due	Date of submission
Mali	14 October 1985	10 October 1986	13 November 1986 (Add.43) f/
Mauritius	24 August 1984	8 August 1985	
Mexico	2 March 1982	3 September 1982	14 September 1982 (Add.2) a/
Mongolia	2 March 1982	3 September 1982	18 November 1983 (Add.20) d/
New Zealand	2 April 1985	9 February 1986	3 October 1986 (Add.41) f/
Nicaragua	2 March 1982	26 November 1982	22 September 1987 (Add.55) g/
Nigeria	14 July 1985	13 July 1986	1 April 1987 (Add.49) f/
Norway	2 March 1982	3 September 1982	18 November 1982 (Add.7) b/
Panama	2 March 1982	28 November 1982	12 December 1982 (Add.9) c/
Paraguay	18 June 1987	6 May 1988	
Peru	12 October 1982	13 October 1983	14 September 1988 (Add.60)
Philippines	2 March 1982	4 September 1982	22 October 1982 (Add.6) b/
Poland	2 March 1982	3 September 1982	10 October 1985 (Add.31) e/
Portugal	2 March 1982	3 September 1982	19 July 1983 (Add.21) d/
Republic of Korea	2 April 1985	26 January 1986	13 March 1986 (Add.35) e/
Romania	2 March 1982	6 February 1983	14 January 1987 (Add.45)
Rwanda	2 March 1982	3 September 1982	24 May 1983 (Add.13) b/
Saint Kitts and Nevis	24 June 1985	25 May 1986	
Saint Lucia	17 December 1982	7 November 1983	
Saint Vincent and the Grenadines	2 March 1982	3 September 1982	
Senegal	2 April 1985	7 March 1986	5 November 1986 (Add.42) f/
Sierra Leone	13 December 1988	11 December 1989	
Spain	8 February 1984	4 February 1985	20 August 1985 (Add.30) e/
Sri Lanka	2 March 1982	4 November 1982	7 July 1985 (Add.29) e/
Sweden	2 March 1982	3 September 1982	22 October 1982 (Add.8) a/
Thailand	10 September 1985	8 September 1986	1 June 1987 (Add.51)
Togo	9 November 1983	26 October 1984	
Tunisia	22 October 1985	20 October 1986	

States parties to the Convention	Invitation to submit reports	Date due	Date of submission
Turkey	22 January 1986	19 January 1987	27 January 1987 (Add.46)
Uganda	23 August 1985	21 August 1986	
Ukranian Soviet Socialist Republic	2 March 1982	3 September 1982	2 March 1983 (Add.11) a/
Union of Soviet Socialist Republics	2 March 1982	3 September 1983	2 March 1983 (Add.12) a/
United Kingdom of Great Britain and Northern Ireland	9 May 1986	7 May 1987	25 June 1987 (Add.52)
United Republic of Tanzania	23 September 1985	19 September 1986	9 March 1988 (Add.57)
Uruguay	2 March 1982	8 November 1982	23 November 1984 (Add.27) f/
Venezuela	7 July 1983	1 June 1984	27 August 1984 (Add.24) d/
Viet Nam	14 September 1982	19 March 1983	2 October 1984 (Add.25) d/
Yugoslavia	14 September 1982	28 March 1983	3 November 1983 (Add.18) c/
Zaire	21 January 1987	16 November 1987	
Zambia	16 August 1985	21 July 1986	

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a/ Considered by the Committee at its second session, held from 1 to 12 August 1983.

b/ Considered by the Committee at its third session, held from 26 March to 6 April 1984.

c/ Considered by the Committee at its fourth session, held from 21 January to 1 February 1985.

d/ Considered by the Committee at its fifth session, held from 10 to 21 March 1986.

e/ Considered by the Committee at its sixth session, held from 30 March to 10 April 1987.

f/ Considered by the Committee at its seventh session, held from 16 February to 4 March 1988.

g/ Considered by the Committee at its eighth session, held from 20 February to 3 March 1989.

B. Second periodic reports of States parties due or submitted as at 3 March 1989

States parties to the Convention	Invitation to submit reports	Date due	Date of submission
Australia	18 December 1987	27 August 1988	
Austria	18 December 1987	30 April 1987	
Barbados	30 January 1987	3 September 1986	
Bhutan	30 January 1987	30 September 1986	
Brazil	31 October 1988	2 March 1989	
Bulgaria	18 December 1987	10 March 1987	
Byelorussian Soviet Socialist Republic	12 August 1985	3 September 1986	3 March 1987 (CEDAW/C/13/Add.5) b/
Canada	18 December 1987	9 January 1987	20 January 1988 (CEDAW/C/13/Add.11)
Cape Verde	30 January 1987	3 September 1986	
China	12 August 1985	3 September 1986	
Colombia	18 December 1987	18 February 1987	
Congo	18 December 1987	25 August 1987	
Cuba	12 August 1985	3 September 1986	
Czechoslovakia	18 December 1987	18 March 1987	
Denmark	18 December 1987	21 May 1988	2 June 1988 (CEDAW/C/13/Add.14)
Dominica	30 January 1987	3 September 1986	
Dominican Republic	18 December 1987	2 October 1987	
Ecuador	12 August 1985	9 December 1986	
Egypt	12 August 1985	18 October 1986	19 December 1986 (CEDAW/C/13/Add.2)
El Salvador	12 August 1985	18 September 1986	18 December 1987 (CEDAW/C/13/Add.12)
Ethiopia	30 January 1987	10 October 1986	
France	31 October 1988	13 January 1989	
Gabon	18 October 1987	20 February 1988	
German Democratic Republic	12 August 1985	3 September 1986	28 January 1987 (CEDAW/C/13/Add.3) b/
Greece	18 December 1987	7 July 1988	
Guatemala	18 December 1987	11 September 1987	
Guinea	18 December 1987	8 September 1987	
Guyana	30 January 1987	3 September 1986	
Haiti	30 January 1987	3 September 1986	
Honduras		2 April 1988	28 October 1987 (CEDAW/C/13/Add.9)
Hungary	12 August 1985	3 September 1986	29 September 1986 (CEDAW/C/13/Add.1) a/
Lao People's Democratic Republic	30 January 1987	13 September 1986	
Mexico	12 August 1985	3 September 1986	3 December 1987 (CEDAW/C/13/Add.10)

States parties to the Convention	Invitation to submit reports	Date due	Date of submission
Mongolia	12 August 1985	3 September 1986	17 March 1987 (CEDAW/C/13/Add.7)
Nicaragua	18 December 1987	26 November 1986	
Norway	12 August 1985	3 September 1986	23 June 1988 (CEDAW/C/13/Add.15)
Panama	12 August 1985	28 November 1986	
Peru	18 December 1987	13 October 1987	
Philippines	12 August 1986	4 September 1986	12 December 1988 (CEDAW/C/13/Add.17)
Poland	18 December 1987	3 September 1986	17 November 1988 (CEDAW/C/13/Add.16)
Portugal	12 August 1985	3 September 1986	
Romania	18 December 1987	6 February 1987	
Rwanda	12 August 1985	3 September 1986	7 March 1988 (CEDAW/C/13/Add.13)
Saint Lucia	18 December 1987	7 November 1987	
Saint Vincent and the Grenadines	30 January 1987	3 September 1986	
Spain	31 October 1988	4 February 1989	3 February 1989 (CEDAW/C/13/Add.19)
Sri Lanka	18 December 1987	4 November 1986	29 December 1988 (CEDAW/C/13/Add.18)
Sweden	12 August 1985	3 September 1986	10 March 1987 (CEDAW/C/13/Add.6) a/
Togo	31 October 1988	26 October 1988	
Ukrainian Soviet Socialist Republic	12 August 1985	3 September 1986	13 August 1987 (CEDAW/C/13/Add.8)
Union of Soviet Socialist Republics	12 August 1985	3 September 1986	10 February 1987 (CEDAW/C/13/Add.4) b/
Uruguay	12 August 1985	8 November 1986	
Venezuela	18 December 1987	1 June 1988	
Viet Nam	18 December 1987	19 March 1987	
Yugoslavia	18 December 1987	28 March 1987	

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a/ Considered by the Committee at its seventh session, held from 16 February to 4 March 1988.

b/ Considered by the Committee at its eighth session, held from 20 February to 3 March 1989.

ANNEX III

Membership of the Committee on the Elimination of Discrimination against Women at its eighth session

Name of member	Country of nationality
Ms. Ryoko Akamatsu*	Japan
Ms. Ana Maria Alfonsín de Fasan**	Argentina
Ms. Desirée P. Bernard**	Guyana
Ms. Carlota Bustelo García del Real**	Spain
Ms. Ivanka Corti*	Italy
Ms. Hadja Assa Diallo Soumare*	Mali
Ms. Ruth Escobar* +	Brazil
Ms. Elizabeth Evatt**	Australia
Ms. Grethe Fenger-Möller**	Denmark
Ms. Norma M. Forde*	Barbados
Ms. Aida González Martínez**	Mexico
Ms. Guan Minqian*	China
Ms. Zagorka Ilic*	Yugoslavia
Ms. Chryssanthi Laiou-Antoniou**	Greece
Ms. Elvira Novikova*	Union of Soviet Socialist Republics
Ms. Edith Oeser**	German Democratic Republic
Ms. Lily Pilataxi de Arenas*	Ecuador
Ms. Pudjiwati Sajogyo*	Indonesia
Ms. Hanna Beate Schöpp-Schilling**	Germany, Federal Republic of
Ms. Kongit Singegiorgis**	Ethiopia
Ms. Mervat Tallawy*	Egypt
Ms. Rose N. Ukeje*	Nigeria
Ms. Kissem Walla-Tchangai**	Togo

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* Term of office expires in 1990.

** Term of office expires in 1992.

\+ Unable to attend owing to illness.

ANNEX IV

An assessment of the costs of holding meetings of the Committee on the Elimination of Discrimination against Women at the United Nations Office at Vienna and in New York

Statement submitted by the Secretary-General in pursuance of the request contained in paragraph 15 of General Assembly resolution 43/100

1. The General Assembly, at its forty-third session, in its resolution 43/100, paragraph 15, requested the Secretary-General to provide the Committee on the Elimination of Discrimination against Women with an assessment of the costs of holding meetings at the United Nations headquarters at Vienna and in New York based on full servicing of the Committee, including attendance by relevant professional staff from the Division for the Advancement of Women, Centre for Social Development and Humanitarian Affairs of the United Nations Office at Vienna, legal staff expert in human rights treaty implementation and adequate secretarial staff, and to transmit a copy of this information to the Economic and Social Council at its first regular session of 1989.

2. The assessment is required by the Committee so that it can continue to take into account considerations of cost and effectiveness, as well as other relevant matters when determining where it will meet, as requested by the General Assembly in the same resolution, operative paragraph 14.

3. The Convention on the Elimination of All Forms of Discrimination against Women, in article 20, provides that the meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee. Furthermore, the rules of procedure of the Committee, rule 3, paragraph 1, prescribe that the sessions of the Committee shall normally be held at United Nations Headquarters; the Committee can also determine to hold sessions at the United Nations Office at Vienna. It has therefore been a practice of the Committee to hold its sessions alternately in New York and at Vienna. The Committee, at its 130th meeting, on 4 March 1988, agreed not to depart from that practice.

4. An estimate of the full costs of holding a session of the Committee, such as the next one, the ninth session in 1990, either at Vienna or in New York, at currently prevailing rates, is detailed below for the purpose of comparison. The estimate is based on full servicing of the Committee, including attendance by a total of six staff members (five from the Division for the Advancement of Women, Centre for Social Development and Humanitarian Affairs of the United Nations Office at Vienna, and one from either Geneva or Vienna), namely:

(a) The Director, Division for the Advancement of Women, Centre for the Social Development and Humanitarian Affairs, United Nations Office at Vienna;

(b) Secretary of the Committee;

(c) Human Rights Officer;

(d) Social Affairs Officer;

(e) Two secretaries.

5. In estimating the costs of holding a session of the Committee in New York, it has been taken into account that three of the above-mentioned staff members, including one secretary, would also need to service a three-day session of the State Parties to the Convention on the Elimination of All Forms of Discrimination against Women, which, on the basis of the past practice, will follow immediately after the session of the Committee. As both pre- and post-session documentation are produced at Vienna, the established headquarters of the secretariat staff, the pre- and post-session documentation costs at Vienna have been used for calculating those prevailing in New York.

	Vienna (at 1989 rate) $US	New York (at 1989 rate) $US
A. Travel and subsistence costs for 23 members		
Travel	50 900	49 700
Subsistence	61 000	84 420
	111 900	134 120
B. Honorariums for 23 members of the Committee	71 000	71 000
C. Travel and subsistence for six staff from the Secretariat		
Travel	770	9 630
Subsistence	1 740	19 000
	2 510	28 630
TOTAL, A, B AND C	185 410	233 750
D. Conference-servicing costs at full rate		
Pre-session documentation (650 pages, languages: A,C,E,F,R,S)	822 200	822 200
In-session documentation (120 pages, languages: A,C,E,F,R,S)	145 200	124 100
Post-session documentation (80 pages, languages: A,C,E,F,R,S)	97 600	97 600
Summary records (languages: A,C,E,F,R,S)	322 000	272 900
Meeting servicing, for interpretation (languages: A,C,E,F,R,S)	127 500	92 100
Requirements of Office of General Services	6 700	25 000
TOTAL, D	1 521 200	1 433 900
GRAND TOTAL, A, B, C, AND D	1 706 600	1 667 700

6. In so far as travel and subsistence costs for the members of the Committee and the Secretariat staff are concerned, the cost comparison indicates savings of about $48,300 when the Committee meets at Vienna rather than in New York, namely, $22,200 in respect of the Committee members and $26,100 in respect of the Secretariat staff. A team of six staff as mentioned in paragraph 4 above is absolutely necessary for providing the substantive services to the sessions of the Committee held away from Vienna, as those services can no longer be supplemented or undertaken by staff of the Department of International Economic and Social Affairs in New York, which was the parent department of the Centre for Social Development and Humanitarian Affairs until February 1987.

7. The estimates of the conference-servicing costs, set out in paragraph 5 above, are based on full estimates that assume that no part of the conference-servicing requirements could be met from within the permanent capacity of the Department of Conference Services and that additional resources for temporary assistance for meetings would be required. The extent to which the permanent capacity of the Department of Conference Services will need to be supplemented by temporary assistance resources, whether the session is held in New York or at Vienna, can only be determined in the light of the calendar of conferences and meetings and the programme budget for the biennium 1990-1991 to be approved by the General Assembly at its forty-fourth session.

8. In summary, the full costs for travel and subsistence of Committee members and staff amount to about $114,400 for Vienna and $162,700 for New York, reflecting a difference of $48,300. Provision for travel and subsistence is made under section 8 (presently section 6 B) (Programmes of activity, Global social development issues) of the programme budget for the biennium 1990-1991. Conference-servicing costs, which appear under section 29 of the programme budget, can, however, only be costed theoretically as the actual number and dates of meetings can be determined only in the light of decisions taken by the Committee on Conferences and the General Assembly for the subsequent year. None the less, the possibility may exist in any given year that part or all of the conference-servicing requirements could be met from within the permanent capacity of the Department of Conference Services without the need for additional or temporary resources; that is to say, the full cost as estimated in paragraph 5 above need not be incurred irrespective of whether the sessions were held at Vienna or in New York.

ANNEX V

Programme budget implications of the proposal contained in the working group paper No. 1 of Working Group I on organizational matters of the Committee on the Elimination of Discrimination against Women

Statement submitted by the Secretary-General in accordance with rule No. 18 of the rules of procedure of the Committee on the Elimination of Discrimination against Women

A. Request contained in Working Group Paper No. 1 dated 22 February 1989 of Working Group I

1. In its Working Group Paper No. 1 dated 22 February 1989, Working Group I on organizational matters of the Committee on the Elimination of Discrimination against Women, which met on 20 and 21 February 1989, requests the Secretariat to prepare and circulate, for consideration by the Committee, a statement of the financial implications of the following proposal:

(a) To hold a three- to five-day session of the Committee's working group, prior to the ninth session of the Committee in 1990, in order to prepare issues and questions relating to the second periodic reports of the States parties to be considered at the regular session of the Committee;

(b) To provide daily subsistence allowances to five members consisting of the working group of the Committee and, possibly, interpretation services in three languages: English, French and Spanish.

B. Relationship of request to the programme of work for the biennium 1990-1991

2. The ninth session of the Committee, to be held in 1990, will have a pre-session for a maximum period of 5 working days, in addition to the regular 10-working-day session. This additional meeting will need to be reflected in the calendar of conferences and meetings for 1990 for consideration and approval by the Committee on Conferences and the General Assembly. In addition, the Secretary-General's submission of that programme budget does not include provision for the additional conference-servicing requirements or for the additional days of subsistence allowance to be paid to the five members of the Committee who serve also on its working group in 1990.

C. Activities by which the proposals would be implemented

3. It is the understanding of the Secretariat that interpretation would be required in three languages only: English, French and Spanish, and that neither pre-session, in-session nor post-session documentation would specifically be required by the working group during its session. The proposed pre-session will necessitate an additional payment of daily subsistence allowance to each of the five members of the Committee's working group. No additional honorariums will be payable to those members.

D. Requirements at full cost

4. The subsistence and conference-servicing requirements for holding the maximum five working days of meetings immediately prior to the regular session of the Committee in 1990 are estimated, on a full cost basis, at the rates prevailing currently, a/ within the appropriate programme budget section of the programme budget, as follows:

	1990 Vienna $US	1990 New York $US
Section 6 B of the programme budget		
Additional subsistence allowance for five members of the Committee who serve on Working Group I	6 340 (4 530)	8 720 (6 230)
Additional subsistence allowance for staff (three staff members from Vienna if New York is the venue)	- _____	3 930 (2 810)
Total	6 340 (4 530)	12 650 (9 040)
Section 29 of the programme budget		
Additional meetings of five or ten days		
Meeting servicing, interpretation (Languages: E, F and S)	27 030 (16 300)	20 730 (12 500)
Requirements of the Office of General Services	1 500 (910)	5 620 (3 390)
Total	28 530 (17 210)	26 350 (15 890)
GRAND TOTAL	34 800 (21 700)	39 000 (24 930)

a/ The figures in brackets indicate estimates for holding a three-day session as opposed to a five-day session.

E. Potential for absorption

5. The proposal of Working Group Paper No. 1 is not contained in the proposed programme budget for the biennium 1990-1991, which will be presented to the General Assembly at its forty-fourth session. Under the procedure established by the General Assembly in its resolution 41/213, annex I, the programme budget includes a contingency fund expressed as a percentage of the overall budget level to accommodate additional expenditures relating to the biennium derived from legislative mandates not provided for in the proposed programme budget. Under the procedure, if additional expenditures are proposed that exceed resources available within the contingency fund, such additional expenditures can only be included in the budget through the redeployment of resources from low-priority areas or the modification of existing activities; otherwise such additional activities will have to be deferred until a later biennium. A consolidated statement of all activities that are eligible for resources from the contingency fund will be submitted to the General Assembly towards the end of the forty-fourth session. In the event that it would not prove possible to finance the activities proposed in Working Group Paper No. 1 from the contingency fund, these activities will have to be deferred to the biennium for 1992-1993.

6. The estimates of the conference-servicing costs, set out in paragraph 4 above, are based on the theoretical assumption that no part of the conference-servicing requirements would be met from within the permanent capacity of the Department of Conference Services and additional resources for temporary assistance for meetings would be required. The extent to which the permanent capacity of the Department will need to be supplemented by temporary assistance resources can only be determined in the light of the calendar of conferences and meetings to be approved by the General Assembly.

7. However, as is the present practice, the requirements under temporary assistance for meetings for the biennium 1990-1991 are estimated on the basis of a five-year average of appropriations and actual expenditures for the period 1983-1987, and are included in the Secretary-General's initial estimates. In other words, provision is being made in the programme budget not only for the meetings known at the time of budget preparation, but also for meetings that would be authorized subsequently, provided that the number and distribution of conferences and meetings for the next biennium is consistent with the pattern experienced over the past five years. Only on that basis may it be assumed that no additional costs would be incurred under section 29 of the programme budget for the biennium 1990-1991.

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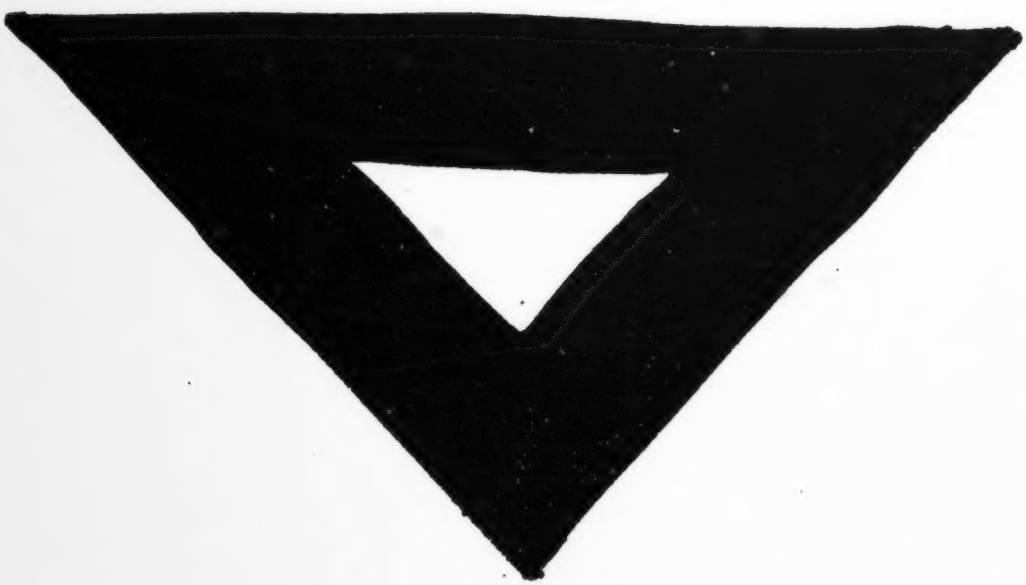
ISSN 0255-0970

03647—March 1990—4,475